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## Paraguay*

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# I. General information on the Republic of Paraguay

## A. General characteristics

### 1. Geographic characteristics

1. The Republic of Paraguay is situated between meridians 54° 19' and 63° 38' west and between parallels 19° 18' and 27° 30' south. It borders Brazil to the north and east, Argentina to the south and west, and the Plurinational State of Bolivia to the north and west. It is 406,752 km$^2$ in area and has the following natural characteristics: a Mediterranean-type country, from which the sea can be reached via the River Paraguay, the River Parana and the River Plate (1,600 km) or overland via Puerto Paranagua in Brazil (1,200 km). It has no mountains, the highest elevations above sea level being no more than 800 metres.

2. Two natural regions, the western and the eastern, are divided by the River Paraguay. The western region, with 246,925 km$^2$, also known as the Chaco, is semi-arid and constitutes an alluvial plain which is almost entirely flat. It is characterized by conditions of extreme humidity and dryness, and because of its impermeable subsoil the banks of long stretches of the River Paraguay and the River Pilcomayo are subject to flooding. The population of the Chaco represents 2.7 per cent of the country's total population, and population density is 0.7 inhabitants per km$^2$ (2012 data). The principal economic activity is extensive livestock-farming, although mixed livestock and crop farms have developed in the Mennonite colonies in the central part of the region.

3. The eastern region, comprising part of the River Paraguay and River Parana basins, is 159,827 km$^2$ in area and represents 39 per cent of the country's total area. It is undulating and is inhabited by 97.3 per cent of the population, with a population density of 40.6 inhabitants per km$^2$ (2012 data). Most of the country's economic activities are located in this region, the most important being agriculture and forestry. Paraguay's resources in terms of soil, vegetation, rivers and fauna are of good quality.

### 2. Ethnic characteristics

4. Paraguay is a multi-ethnic country, comprising the indigenous population and strongly influenced by Spanish culture; with the founding of Asunción in 1537, Paraguay's population nucleus was formed by Spaniards and Guaraní Indians. As a result of intensive miscegenation, the rudiments of a new nationality characterized by bilingualism and a blend of both cultures were formed.

### 3. Ethnic characteristics of the indigenous population

5. According to the third national population census conducted in 2012, Paraguay has an indigenous population of 117,150 persons belonging to five linguistic families, each composed of different ethnic groups with their own culture, classified as follows:

- Guaraní: Aché, Ava Guaraní, Mbya Guaraní, Paĩ Tavyretá, Guarayo, Tapieté or Guaraní Ñandeva;
- Maskoy language: Toba Maskoy, Enthlet Norte language, Enthlet Sur language, Sanapaná-Angaité, Guaná;
- Matako-Mataguayo: Nivaklé, Maká, Manjui;
- Zamuco: Ayoreo, Chamacoco Ybytoso, Chamacoco Tomaraho, Ishĩrt;

- Toba-guaicurú: Toba-Qom.

Table 1
**Indigenous population by linguistic family**

| *Linguistic family* | *Percentage* |
|---|---|
| **Total** | **100** |
| Guaraní | 54.7 |
| Maskoy | 23.6 |
| Mataco-Mataguayo | 15.2 |
| Zamuco | 4.0 |
| Gaicurú | 1.7 |

*Source:* DGEEC (Directorate-General for Statistics, Surveys and Censuses), 2012 census.

6. This rich cultural diversity is one of the country's principal characteristics.

## 4. Demographic characteristics of the country and the population

7. According to the 2014 Permanent Household Survey (EPH), the country has 6,818,180 inhabitants, including 4,091,361 urban inhabitants and 2,726,819 rural inhabitants. Males comprise 49.3 per cent of the population and females, 50.7 per cent. Women are more concentrated in the urban areas.

8. The country's demographic structure is the result of major changes in recent decades, including an increase in urbanization. This transformed Paraguay from a particularly rural country, where more than half the population lived and worked in the rural areas, into a more urban one. The 1992 census shows that, for the first time, just over half the population (50.3 per cent) was living in urban communities. By 2013, that proportion had risen to 59.9 per cent.

Table 2
**Estimated population by calendar year and sex**

| | *Population* | | |
|---|---|---|---|
| *Department* | *Total* | *Male* | *Female* |
| **Total** | **7 015 498** | **3 548 193** | **3 472 971** |
| Asunción | **511 523** | 235 885 | 275 637 |
| Concepción | **189 083** | 95 962 | 93 120 |
| San Pedro | **364 275** | 192 792 | 171 482 |
| Cordillera | **291 971** | 150 741 | 141 228 |
| Guairá | **199 490** | 103 962 | 95 528 |
| Caaguazú | **486 331** | 254 702 | 231 629 |
| Caazapá | **151 570** | 80 313 | 71 258 |
| Itapúa | **561 418** | 293 157 | 268 261 |
| Misiones | **121 537** | 62 371 | 59 166 |
| Paraguarí | **239 665** | 125 106 | 114 559 |
| Alto Paraná | **841 372** | 431 079 | 410 294 |
| Central | **2 450 360** | 1 202 965 | 1 247 395 |

| Department | Population | | |
|---|---|---|---|
| | Total | Male | Female |
| Ñeembucú | **84 539** | 43 383 | 41 156 |
| Amambay | **125 989** | 62 785 | 63 205 |
| Canindeyú | **207 499** | 115 631 | 97 533 |
| Pdte. Hayes | **111 886** | 57 313 | 54 573 |
| Boquerón | **66 125** | 34 324 | 31 801 |
| Alto Paraguay | **10 866** | 5 721 | 5 144 |

*Source:* DGEEC, Paraguay.

9. With respect to heads of households, in recent years the percentage of female-headed households has risen from 25.3 per cent (2000) to 31.8 per cent (2013), in both urban and rural areas. The above-mentioned demographic changes affect men and women differently.

10. The sexual division of labour means that women are primarily responsible for caring for dependants. If care policies are not implemented, the demographic ageing process will thus require even greater efforts by women, which will have an impact on their educational and employment opportunities. At the same time, the reduced proportion of youth among the population allows women more opportunities to enter the labour market. Female-headed households share specific characteristics which distinguish them from male-headed households.

11. The opportunities available to women for reaping the benefit of the "demographic dividend" will depend on policies to facilitate their educational and labour integration (as will be seen in the following sections). Demographic changes are compounded by improvements in education indicators that benefit women in particular, and their increasing access to the labour market.

12. The leading cause of mortality in the period 2010-2013 was circulatory system illnesses, accounting for more than 100 deaths per 1,000 inhabitants, followed by tumour-related problems. The table below presents the principal mortality rates for the period 2009-2013.

Table 3
**Mortality indicators 2009-2013**

| Mortality indicators | 2009 | 2010 | 2011 | 2012 | 2013 |
|---|---|---|---|---|---|
| Overall mortality rate per 1,000 persons | 4.0 | 4.1 | 3.9 | 3.8 | 4.1 |
| Infant mortality rate per 1,000 live births | 15.4 | 16.3 | 15.2 | 14.7 | 14.6 |
| Neonatal mortality rate per 1,000 live births | 11.0 | 11.7 | 11.2 | 10.7 | 10.6 |
| Perinatal mortality rate per 1,000 live births | 18.2 | 18.4 | 17.8 | 17.9 | 17.4 |
| Maternal mortality rate per 100,000 live births | 125.3 | 100.8 | 88.8 | 84.9 | 96.3 |
| Mortality rate for 5-year-old children per 1,000 live births | 18.7 | 19.3 | 17.5 | 16.9 | 17.0 |
| Mortality rate for children aged 1 to 4, per 1,000 live births | 56.8 | 51.2 | 42.1 | 41.4 | 43.4 |
| Mortality rate for circulatory system illnesses per 100,000 persons | 111.5 | 114.3 | 101.1 | 104.6 | 108.4 |
| Tumour-related mortality rate per 100,000 persons | 55.9 | 58.2 | 57.1 | 56.4 | 59.6 |
| Mortality rate for external causes per 100,000 persons | 49.2 | 47.0 | 44.5 | 43.7 | 44.6 |
| Mortality rate for transmissible diseases per 100,000 persons | 35.0 | 34.1 | 33.8 | 28.5 | 32.3 |

| *Mortality indicators* | *2009* | *2010* | *2011* | *2012* | *2013* |
|---|---|---|---|---|---|
| Mortality rate for perinatal-period illnesses per 1,000 live births | 9.0 | 9.2 | 8.6 | 7.9 | 7.9 |
| Mortality rate for respiratory-system illnesses per 100,000 persons | 28.1 | 27.9 | 27.3 | 26.1 | 25.0 |
| Early neonatal (0 to 6 days) mortality rate per 1,000 live births | 8.8 | 9.1 | 8.9 | 8.2 | 8.4 |
| Late neonatal (7 to 27 days) mortality rate per 1,000 live births | 2.2 | 2.6 | 2.3 | 2.5 | 2.2 |
| Mortality rate for acute respiratory infection in 5-year-old children per 1,000 live births | 12.7 | 10.0 | 10.4 | 10.1 | 9.1 |
| Mortality rate for malignant tumours per 100,000 persons | 52.7 | 54.8 | 51.4 | 51.2 | 54.8 |
| Mortality rate for other causes per 100,000 persons | 31.7 | 34.3 | 38.0 | 28.6 | 45.7 |
| Percentage of deaths due to unknown causes (R00-R99) | 12.8 | 11.9 | 10.4 | 10.2 | 11.2 |

*Source*: Subsistema de información de Estadísticas Vitales (SSIEV). Dirección de Estadísticas en Salud (DES) - Dirección de Información Estratégica en Salud (DIGIES). MSPBS.

13. Infant mortality declined significantly in the six years between 2008 and 2013. It is higher in rural areas than in urban areas, and higher among male children than among female children. The table below charts this indicator, disaggregated by area of residence and by sex.

Table 4
**Infant mortality rate per 1,000 live births**

| | | *Area of residence* | | *Sex* | |
|---|---|---|---|---|---|
| *Year* | ***Total*** | *Urban* | *Rural* | *Male* | *Female* |
| 2008 | **16.9** | 16.3 | 18.4 | 18.4 | 15.1 |
| 2009 | **15.4** | 14.5 | 17.8 | 16.5 | 14.0 |
| 2010 | **16.3** | 15.3 | 19.3 | 17.8 | 14.4 |
| 2011 | **15.2** | 14.1 | 18.4 | 16.9 | 13.3 |
| 2012 | **14.7** | 14.4 | 15.4 | 15.9 | 13.1 |
| 2013 | **14.6** | 15.1 | 13.3 | 16.0 | 13.0 |

*Source*: Subsistema de información de Estadísticas Vitales (SSIEV). Dirección de Estadísticas en Salud (DES) - Dirección de Información Estratégica en Salud (DIGIES). MSPBS.

14. Maternal mortality trends have been irregular over the years, but have decreased steadily since 2008, with a total of 96.3 maternal deaths per 100,000 live births.

15. The table below, in which the data have been disaggregated by area of residence, demonstrates the significant gap between the number of maternal deaths occurring in rural and urban areas, with a lower maternal mortality rate in the latter.

Table 5
**Maternal mortality rate (per 100 000 live births)**

| | | *Area of residence* | |
|---|---|---|---|
| *Year* | ***Total*** | *Urban* | *Rural* |
| 2008 | **117.4** | 99.0 | 164.7 |
| 2009 | **125.3** | 115.2 | 152.7 |

| Year | Total | Area of residence | |
|---|---|---|---|
| | | Urban | Rural |
| 2010 | **100.8** | 85.3 | 145.6 |
| 2011 | **88.8** | 80.4 | 174.2 |
| 2012 | **84.9** | 68.6 | 127.8 |
| 2013 | **96.3** | 86.7 | 118.8 |

*Source*: Subsistema de información de Estadísticas Vitales (SSIEV). Dirección de Estadísticas en Salud (DES) - Dirección de Información Estratégica en Salud (DIGIES). MSPBS.

16. The services and resources of the Ministry of Public Health and Social Welfare (MSPBS) have improved. The number of facilities has grown steadily in recent years, reaching a total of 1,403 establishments in 2013.

17. The number of assisted deliveries and surgical procedures has also increased, to 61,240 in 2010; 62,131 in 2011; 65,813 in 2012; and 61,518 in 2013.

18. The percentage of PENTA, OPV and BCG-ID vaccination coverage for children under 1 year of age, and SPR coverage for 1-year-olds, varied between 2010 and 2013, according to official statistics provided by the Ministry of Public Health and Social Welfare.

19. In 2011, according to the most recent available data (MSPBS, 2013), the mortality rate for 5-year-olds was 17.5 per 1,000 live births. More than half the number of deaths occurred in the first 28 days of life, with the main causes being injuries sustained during delivery, infections and prematurity (UNICEF, 2018, State of the World's Children Report).

Table 6
**Under-5 mortality rate**

| Mortality | Rate |
|---|---|
| Neonatal | 11.2 |
| Infant | 15.2 |
| Children under 5 | 17.5 |

*Source*: MSPBS (2013), Indicadores Básicos de Salud, año 2011.

Table 7
**Indicators of services, resources and coverage (2010-2013)**

| Indicators of services, resources and coverage | 2010 | 2011 | 2012 | 2013 |
|---|---|---|---|---|
| Total number of Ministry health facilities | 1 167 | 1 363 | 1 353 | 1 403 |
| Total number of Ministry inpatient health facilities | 356 | 266 | 235* | 225* |
| Number of Ministry beds | 4 843 | 4 837 | 4 998* | 5 164* |
| Number of cases of Ministry outpatient treatment per inhabitant | 1.3 | 1.3 | 1.4 | 1.5 |
| Number of hospital discharges per 1,000 inhabitants | 185 909 | 202 679 (*) | 202 638 (*) | 131 137 (*) |
| Percentage of institutional births | 94.4 | 95.0 | 95.7 | 96.2 |
| Total number of Ministry assisted deliveries | 61 240 | 62 131 | 65 813 | 61 518 |
| Total number of Ministry caesarean deliveries | 19 963 | 20 680 | 23 149 | 21 877 |

| *Indicators of services, resources and coverage* | *2010* | *2011* | *2012* | *2013* |
|---|---|---|---|---|
| Total number of Ministry surgical procedures | 37 981 | 36 164 | 46 858 | 52 516 |
| Percentage of pregnant women treated before the fourth month | 29.4 | 31.3 | | |
| PENTA vaccination coverage for children under 1 (%) | 71.9 | 75.4 | 74.4 | 72.6 |
| OPV3 vaccination coverage for children under 1 (%) | 71.9 | 75.4 | 74.3 | 71.2 |
| BCG-ID vaccination coverage for children under 1 (%) | 70.5 | 76.1 | 75.2 | 72.5 |
| SPR vaccination coverage for 1-year-olds (%) | 76.7 | 76.5 | 74 | 75 |

*Source*: Sistema de Movimiento Hospitalario (SMH). Sistema de Egresos Hospitalarios (SEGHOSP) Subsistema de Información de Estadísticas Vitales (SSIEV). Sistema de Atención Ambulatoria. Dirección de Estadística en Salud (DES) - Dirección de Información Estratégica en Salud (DIGIES). MSPBS. Vaccination data provided by PAI.

* The data on hospital discharges for 2011, 2012 and 2013 are preliminary and may be subject to change. (*) Preliminary data.

## 5. Socioeconomic characteristics

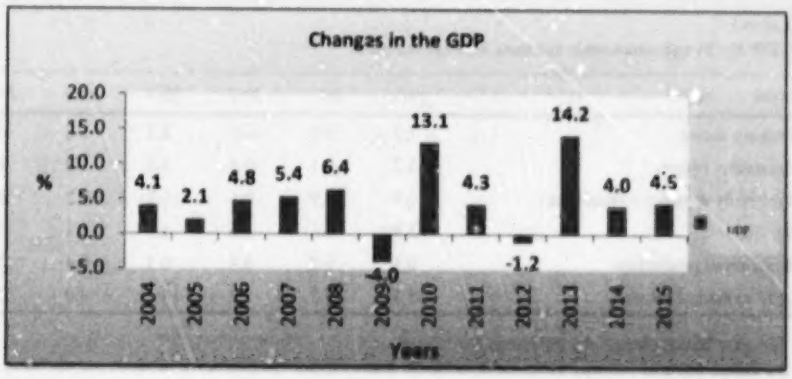
20. During the last quinquennium, the rate of growth in Paraguay has risen significantly, except for 2012 (-1.2 per cent). It peaked at 14.2 per cent in 2013, and since then the country's medium-term growth prospects have remained stable and encouraging.

21. The situation changed completely between 2012 and 2013 with respect to economic activity, and the trend in production was very positive. A number of factors contributed to the change in the domestic economy, particularly with respect to monetary policy. First of all, there were excellent harvests for the country's main export products, fetching prices considerably above the historical average. Second, Paraguay regained its share of the international market for meat, attracted higher capital inflows and registered a positive macroeconomic performance overall. As a result, the country was able to issue sovereign bonds on the international market for the first time, and with great success. This in turn raised economic expectations as to the future performance of the economy, but also increased the risk of inflationary pressure.

22. The promising outlook for the domestic economy was confirmed in 2014, although the strong expansion of 2013 receded and the economy aligned itself more closely with the long-term trend. In the last months of 2014 there was some instability in the currency market, which was reflected in the slight adjustment of some prices in the basket of goods. The country's largest international meat markets recovered, and the prices of some public services and of the minimum wage were adjusted, factors which together exerted greater inflationary pressure on monetary policy.

23. The economy grew at 4 per cent in 2014, and in 2015 it is expected to grow at 4.5 per cent. This increase may be explained primarily by the expansion of livestock-farming and the meat industry and by the increase in public and private construction, industry and services.

Table 8
**Changes in the GDP, 2004-2015**




*Source*: Banco Central del Paraguay (BCP).

Table 9
**GDP estimates for 2015 (Percentage)**

| *Sector* | *Estimate for 2015* |
|---|---|
| Primary | 1.7 |
| Secondary + Binationals | 6 |
| Tertiary | 4.9 |
| Taxes | 6 |
| **Total GDP** | **4.5** |

*Source*: Banco Central del Paraguay.

24. According to estimates by the Ministry of Agriculture and Livestock-farming, the farming sector performed favourably in the period 2014/2015, although the main crops did only moderately well. These estimates are explained by the large harvests in previous seasons, very close to maximum production potential, where value added in the sector has only marginal impact on total output in 2015.

25. The livestock sector continues to expand briskly, thanks to the recovery of major markets and greater market diversification. The most recent data indicate a greater volume of slaughter of beef cattle, due to greater external demand, and this is reflected in an increase in beef exports.

26. The manufacturing industry — meat production, oil and non-metallic products in particular — is expected to grow at 5.6 per cent. This will in turn permit greater diversification of the productive structure and of the export basket.

27. Yet another economic driver is the services sector, with a 4.9-per-cent growth rate forecast for 2015. The sector's growth is led by such activities as trade (5.5 per cent), financial intermediation (7 per cent), and restaurants and hotels (10 per cent).

28. One of the sectors with the highest expectations for expansion in 2015 is construction. This renewed dynamism can be attributed primarily to the infrastructure projects spearheaded by the Government, and by the boom in hotel and corporate ventures in the private sector.

29. Taxes are expected to rise (6 per cent), thanks to the increasing formalization of the economy, driven by the personal income tax and the agricultural income tax.

Table 10
**GDP by broad economic sectors, in real terms**

| *Sector* | *2010* | *2011* | *2012* | *2013* | *2014* | *2015* |
|---|---|---|---|---|---|---|
| Primary sector | 7.2 | 0.9 | -4.9 | 8.3 | 0.8 | 0.4 |
| Secondary sector | 1.2 | -0.1 | 0.5 | 1.2 | 1.4 | 1.0 |
| Electricity & water + Binational | 0.0 | 0.9 | 0.6 | 0.2 | -0.7 | 0.5 |
| Services | 3.9 | 2.4 | 2.6 | 4.1 | 2.1 | 2.1 |
| Taxation of production | 0.8 | 0.2 | 0.0 | 0.5 | 0.4 | 0.4 |
| GDP at market prices | 13.1 | 4.3 | -1.2 | 14.2 | 4.0 | 4.5 |

*Source*: Banco Central del Paraguay.

30. On the expenditures side, the growth of the Paraguayan economy is primarily due to domestic demand. This growth is higher than the average expected for Latin America and the Caribbean as a whole (2.2 per cent).

31. Investment is expected to continue on its expansionary path of about 7.2 per cent, which would give further impetus to the economy. This dynamism will be sustained by large-scale public and private investment projects,[1] an increase in foreign direct investment (in such activities as metallurgy, the automobile industry and automotive parts production) and real estate development by major multinational chains, among other sectors.

32. Private consumption will grow at about 4.5 per cent, which will keep the optimistic forecasts of consumers in line with greater expected income. Although the external context for 2015 is complex, exports are expected to grow at about 4.3 per cent, or above the 2.7 per cent of 2014. Imports will grow at an estimated 4.4 per cent, less than the 4.9 per cent of 2014. Domestic demand will contribute 4.3 per cent to expenditures, while net external demand will contribute 0.1 per cent of GDP in 2015.

Table 11
**Breakdown of GDP by domestic and foreign demand (Percentage)**

| *Type of expenditure* | *2010* | *2011* | *2012* | *2013* | *2014* | *2015* |
|---|---|---|---|---|---|---|
| Domestic demand | 14.2 | 6.3 | 0.8 | 7.5 | 5.0 | 4.3 |
| Private consumption | 9.0 | 3.7 | 1.9 | 3.2 | 2.6 | 2.9 |
| Public consumption | 1.0 | 0.4 | 1.8 | 0.5 | 0.3 | 0.3 |
| Gross capital formation | 4.1 | 2.1 | -2.8 | 3.7 | 2.1 | 1.1 |
| Net external demand | -1.1 | -1.9 | -2.1 | 6.7 | -1.0 | 0.1 |
| Exports | 11.2 | 3.7 | -4.1 | 10.6 | 1.6 | 2.5 |
| Imports | -12.3 | 5.7 | -2.0 | 3.9 | 2.6 | 2.4 |
| GDP | 13.1 | 4.3 | -1.2 | 14.2 | 4.0 | 4.5 |

*Source*: Banco Central del Paraguay (BCP).

[1] Most of these projects are expected to be undertaken through public-private partnerships.

33. Outstanding public debt amounted to 18 per cent of GDP in 2014. In December of that year it reached US$ 4.83 million, of which US$ 3.314 million represented external debt and US$ 1.517 million, domestic debt. [2] Outlays from external borrowings went primarily into the following: infrastructure (54 per cent), anti-crisis plan (27.3 per cent), private-sector development (12.4 per cent), education (3.4 per cent), tourism (1.9 per cent) and the social sector (1 per cent). Of the domestic borrowings, 100 per cent corresponded to bond issues.

34. Since May 2011, the Banco Central del Paraguay has adopted an approach to monetary policy known as "inflation targeting", through which it made a public commitment to control inflation as its overarching objective in a spirit of transparency and accountability.

35. The stated target, measured by year-on-year changes in the consumer price index, is 4.5 per cent, with a +/- 2-per-cent tolerance range. The range allows inflation to fluctuate around the target, taking into account the high exposure of the Paraguayan economy to exogenous shocks. Both the target and the tolerance range were lowered between January 2014 and February 2015, since they had both initially been set at 5 and +/- 2.5 per cent, respectively.

36. Total inflation in 2012 was 4 per cent, below the middle of the range and lower than the 4.9 per cent observed in 2011. In 2013 it was 3.7 per cent, and in 2014, 4.2 per cent. This means that for the eighth consecutive year, inflation was below the ceiling (6.5 per cent) of the targeted range. The accumulated rate of inflation in February 2015 was 1.1 per cent, below the 2 per cent observed a year earlier.

Table 12
**Inflation, 2012-2015 (Percentage)**

| | *2012* | | | *2013* | | | *2014* | | | *2015* | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Month* | *Monthly* | *Cumulative* | *Year-to-year* | *Monthly* | *Cumulative* | *Year-to-year* | *Monthly* | *Cumulative* | *Year-to-year* | *Monthly* | *Cumulative* | *Year-to-year* |
| January | 1.1 | 1.1 | 4.4 | 1.2 | 1.2 | 4.1 | 1.4 | 1.4 | 3.9 | 0.6 | 0.6 | 3.4 |
| February | 1.5 | 2.6 | 4.5 | -0.8 | 0.4 | 1.7 | 0.7 | 2.0 | 5.4 | 0.5 | 1.1 | 3.2 |
| March | 0.5 | 3.1 | 3.3 | -0.1 | 0.3 | 1.2 | 0.5 | 2.6 | 6.1 | | | |
| April | -0.2 | 2.8 | 3.3 | 0.2 | 0.5 | 1.6 | 0.4 | 3.0 | 6.4 | | | |
| May | 0.4 | 3.2 | 3.8 | -0.3 | 0.2 | 0.9 | 0.3 | 3.3 | 7.0 | | | |
| June | -0.4 | 2.8 | 3.9 | 0.5 | 0.6 | 1.7 | -0.1 | 3.2 | 6.4 | | | |
| July | 0.1 | 2.9 | 4.0 | 0.5 | 1.2 | 2.2 | -0.3 | 2.9 | 5.5 | | | |
| August | -0.2 | 2.7 | 2.8 | 0.6 | 1.8 | 3.1 | -0.4 | 2.5 | 4.4 | | | |
| September | 0.2 | 2.8 | 2.8 | 0.3 | 2.1 | 3.2 | 0.0 | 2.5 | 4.1 | | | |
| October | -0.2 | 2.6 | 3.4 | 0.8 | 3.0 | 4.4 | 0.2 | 2.7 | 3.5 | | | |
| November | 0.6 | 3.2 | 4.1 | 0.7 | 3.7 | 4.4 | 0.7 | 3.5 | 3.5 | | | |
| December | 0.7 | 4.0 | 4.0 | 0.1 | 3.7 | 3.7 | 0.7 | 4.2 | 4.2 | | | |

*Source*: Banco Central del Paraguay (BCP).

[2] The debt was primarily in dollars and guaranies, which represented 63.9 per cent and 31.4 per cent, respectively, of the total, followed by 3.3 per cent in yen.

37. The figures indicate a healthy investment climate, characterized by a predictable economy and controlled levels of inflation. This was recognized by two prestigious international credit rating agencies in 2014: In February, Moody's Investors Service lowered the country's risk rating to Ba2, and in June, Standard & Poors lowered it to BB. The country's second bond placement on the international market was a great success, with improvements in interest rates and asset prices.

38. In 2013, according to data from the Permanent Household Survey conducted by the Directorate-General for Statistics, Surveys and Censuses (DGEEC), the Paraguayan population living in poverty represented 23.8 per cent of the total, which means that about 1.6 million people were living in households with income lower than the cost of a basic consumption basket drawn up for that year.

Table 13
**Paraguay: total population by poverty level**

| *Poverty level* | ***Total*** | ***Total (Percentage)*** |
|---|---|---|
| **Total** | **6 672 517** | **100.0** |
| Extreme poverty | **677 089** | **10.1** |
| Non-extreme poverty | **911 738** | **13.7** |
| No poverty | **5 083 690** | **76.2** |

*Source*: DGEEC. EPH 2013.

Table 14
**Absolute and relative poverty rates, 2013**

| *Geographical area* | ***Total pop.*** | *Poor pop.* | *% poor pop.* | *Extremely poor pop.* | *% Extremely poor pop.* |
|---|---|---|---|---|---|
| National total | **6 672 517** | 1 588 827 | 23.8 | 677 089 | 10.1 |
| Urban areas | **3 976 953** | 676 556 | 17.0 | 202 264 | 5.1 |
| Asunción and Central Urban department | **2 473 443** | 422 386 | 17.1 | 111 033 | 4.5 |
| Other urban areas | **1 503 510** | 254 170 | 16.9 | 91 231 | 6.1 |
| Rural areas | **2 695 564** | 912 271 | 33.8 | 474 825 | 17.6 |

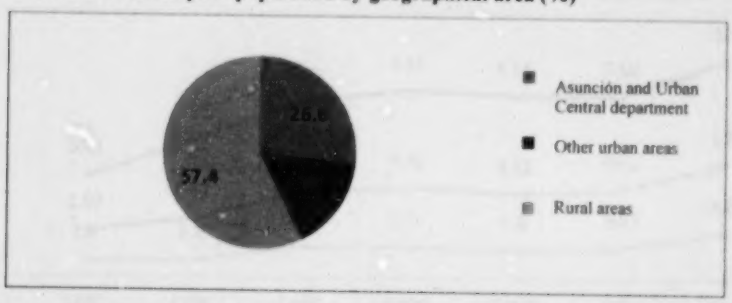
*Source*: Dirección General de Estadística, Encuestas y Censos (DGEEC).

39. In rural areas, total poverty affects approximately 33.8 per cent of the population; in urban areas, a lower proportion of inhabitants are living in poverty (17 per cent).

40. In absolute terms, the majority of the country's poor (around 912,000 people) live in rural areas and about 676,000 in urban areas (26 per cent more in rural than urban areas). Poverty is thus more widespread in rural areas, in both relative and absolute terms.

41. The population living in extreme poverty, also known as the indigent population (those whose incomes are below the cost of a basic consumption basket), numbers about 677,000, with a greater proportion in rural areas (17.6 per cent of inhabitants) than in urban areas (5.1 per cent of inhabitants). Asunción and the Central Urban department have the lowest proportion of extremely poor (4.5 per cent). The greatest number of extremely poor (around 475,000 individuals, or 70 per cent) live in rural areas. Indigence is greatest in the rural areas, in both relative terms (percentage) and absolute terms (number of people).

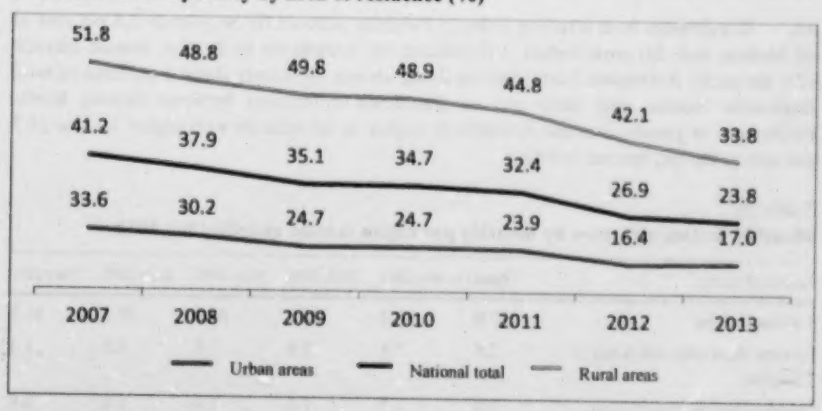
Table 15
**Distribution of the poor population by geographical area (%)**




*Source*: Dirección General de Estadística, Encuestas y Censos (DGEEC), 2013.

42. As shown in the table, there was a sustained downward trend in total poverty at the national level in the period 2007-2013, when the rate fell from 41.2 per cent to 23.8 per cent. Between 2011 and 2013, the decline was greater in rural areas, where the poverty rate fell by 11 percentage points, while in urban areas it decreased by 7 percentage points.

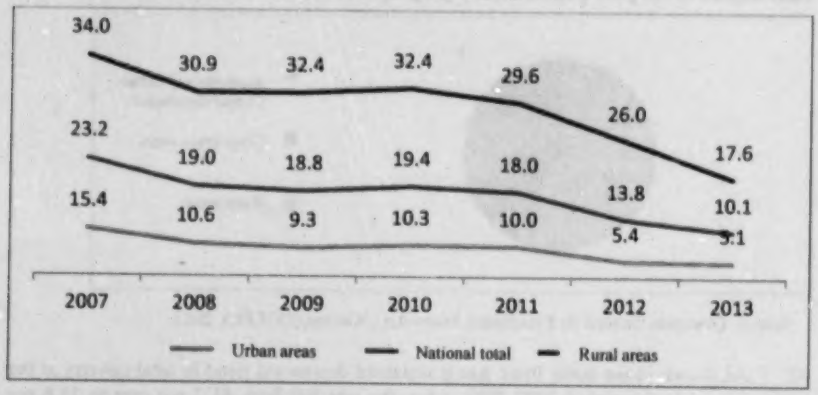
Table 16
**Evolution of total poverty by area of residence (%)**




*Source*. Dirección Gene. al de Estadística, Encuestas y Censos (DGEEC).

43. Table 17 shows that the extreme poverty rate in the period 2007-2013 follows a similar trend to that for total poverty.

Table 17
**Evolution of extreme poverty by area of residence (%)**




*Source*: Dirección General de Estadística, Encuestas y Censos (DGEEC).

44. Table 18 shows that, regardless of the income level of Paraguayan families, the main source of income is economic activity (labour income). The proportion of this income varies from about 83.3 per cent to 89.1 per cent in each income quintile.

45. Remittances from relatives living in Paraguay account for an average 2.5 per cent of all income, and this contribution is significant for households in the first income quintile (7.4 per cent). Assistance from relatives living abroad represents about 1 per cent of total disposable income, and there are no significant differences between income levels. Retirement or pension income is relatively higher in households with higher income (4.7 per cent in the last income quintile).

Table 18
**Monthly income structure by monthly per capita income quintile (%), 2013**

| *Source of income* | ***Total*** | *Poorest 20%* | *Next 20%* | *Next 20%* | *Next 20%* | *Next 20%* |
|---|---|---|---|---|---|---|
| Labour income | **87.0** | 83.3 | 86.5 | 88.2 | 89.1 | 86.3 |
| Income from relatives living in Paraguay | **2.5** | 7.4 | 3.9 | 3.8 | 3.0 | 1.4 |
| Income from relatives living abroad | **1.0** | 1.7 | 1.6 | 1.4 | 1.0 | 0.8 |
| Retirement or pension income | **3.7** | 0.2 | 2.1 | 2.2 | 3.1 | 4.7 |
| Income from the Tekoporã Monetary Transfer Programme | **0.1** | 1.7 | 0.6 | 0.1 | 0.0 | 0.0 |
| Income from the Monetary Transfer Programme for Older People | **0.4** | 1.4 | 1.8 | 1.0 | 0.3 | 0.1 |
| Other income | **5.2** | 4.4 | 3.6 | 3.2 | 3.3 | 6.7 |
| **Total** | **100.0** | **100.0** | **100.0** | **100.0** | **100.0** | **100.0** |

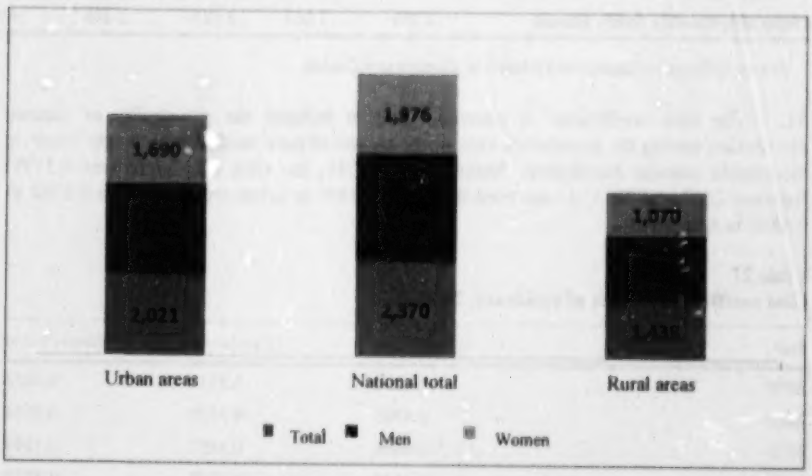
*Source*: Dirección General de Estadística, Encuestas y Censos (DGEEC).

46. As shown in table 19, the average monthly income of the employed is about 2,021,000 guaraníes and is higher in urban than rural areas (2,370,000 guaraníes vs.

1,438,000 guaraníes). A gender-based analysis shows that men have higher incomes than women, with an average national income gap of 560,000 guaraníes. This is the case in both urban and rural areas.

Table 19

**Average monthly income of the employed, by area of residence and sex (Thousands of guaraníes), 2013**




*Source*: Dirección General de Estadística, Encuestas y Censos (DGEEC).

47. According to table 20, the average disposable monthly family income in a Paraguayan household in 2013 was about 4,295,000 guaraníes. Comparing these averages by quintile, households in the wealthiest quintile have nine times more total disposable income than those in the poorest quintile.

48. The average family income from the principal form of economic activity is 3,766,000 guaraníes per month, ranging from 938,000 guaraníes for the poorest quintile to 7,610,000 guaraníes for the wealthiest.

49. The average income per household from monthly remittances sent by relatives in Paraguay and/or abroad is 693,000 and 524,000 guaraníes, respectively. At higher quintiles, average income in the form of assistance from relatives, whether in Paraguay or abroad, is greater.

50. A household with some retirement or pension income receives an average of 2,704,000 guaraníes per month.

Table 20

**Average monthly income (Thousands of guaraníes) by monthly per capita income quintile, by source of income, 2013**

| *Source of income* | ***Total*** | *Poorest 20%* | *Next 20%* | *Next 20%* | *Next 20%* | *Next 20%* |
|---|---|---|---|---|---|---|
| Labour income | **4 031** | 982 | 1 097 | 2 680 | 3 910 | 8 353 |
| Assistance from relatives in Paraguay | **693** | 391 | 451 | 587 | 825 | 1 353 |
| Assistance from relatives abroad | **524** | 188 | 310 | 398 | 594 | 1 115 |
| Retirement or pension income | **2 074** | 542 | 1 317 | 1 391 | 2 026 | 3 734 |

| *Source of income* | *Total* | *Poorest 20%* | *Next 20%* | *Next 20%* | *Next 20%* | *Next 20%* |
|---|---|---|---|---|---|---|
| Income from the Tekoporã Monetary Transfer Programme | **182** | 177 | 190 | 163 | 249 | 298 |
| Income from the Monetary Transfer Programme for Older People | **508** | 431 | 499 | 550 | 517 | 521 |
| Other income | **883** | 197 | 273 | 358 | 575 | 2 282 |
| Disposable monthly family income | **4 295** | 1 061 | 2 025 | 2 856 | 4 059 | 9 126 |

*Source*: Dirección General de Estadística, Encuestas y Censos.

51. The Gini coefficient [3] is generally used to indicate the equitability of income distribution among the population. One of the causes of persistently high poverty levels is inequitable income distribution. Nationally, in 2011, the Gini coefficient was 0.5199. Between 2007 and 2013, it rose from 0.4719 to 0.4480 in urban areas and from 0.5762 to 0.4892 in rural areas.

Table 21
**Gini coefficient by area of residence, 2009-2013**

| *Year* | *Urban areas* | *Rural areas* | *National total* |
|---|---|---|---|
| 2009 | 0.4226 | 0.5537 | 0.4872 |
| 2010 | 0.4586 | 0.5575 | 0.5124 |
| 2011 | 0.4696 | 0.5657 | 0.5199 |
| 2012 | 0.4147 | 0.5273 | 0.4755 |
| 2013 | 0.4480 | 0.4892 | 0.4776 |

*Source*: Dirección General de Estadística, Encuestas y Censos (DGEEC).

52. In 2014, the population in Asunción and urban areas of the Central Department was around 2,560,000. Of these, about 82.9 per cent (2,126,739 people) were aged 10 and over.

53. The economic activity or labour participation rate [4] at the end of 2014 was approximately 64.9 per cent, which is 1.2 percentage points lower than the rate for the same period in 2013 (66.1 per cent). In absolute terms, about 1,379,000 people were economically active.

54. The open unemployment rate [5] at the end of 2014 was 7.9 per cent, with no significant variation from the same period in 2013 (7.7 per cent). Around 10,000 people were openly unemployed in 2014.

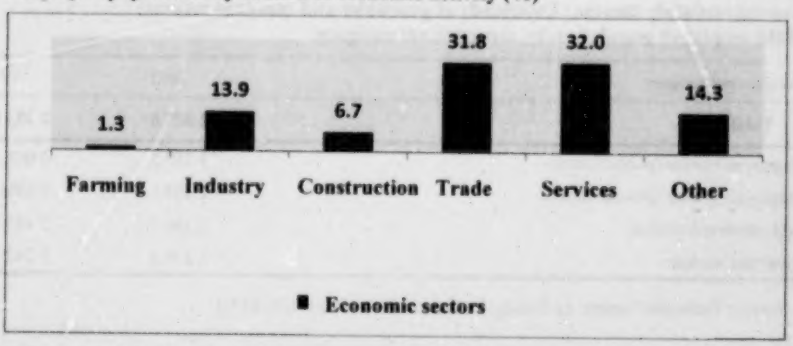
55. At the end of 2014, the Continuous Labour Survey conducted by the Directorate-General of Statistics, Surveys and Censuses showed that around 15.9 per cent of the economically active population was underemployed. This meant that some 219,000 individuals worked less than 30 hours a week, wanted to work more and were available to do so (visible underemployment, or unemployment due to insufficient working hours), or worked 30 or more hours a week and earned less than the existing minimum wage for the hours worked (invisible underemployment, calculated only for wage earners). The

[3] The Gini coefficient has a value between 0 and 1. The closer it is to 0, the greater the equality in income distribution, and the closer it is to 1, the greater the inequality in income distribution.
[4] Economically active population/population aged 10 and over.
[5] Openly unemployed/economically active population.

behaviour and the numbers were similar to those of 2013, both in absolute and relative terms (16.1 per cent vs. 15.9 per cent).

56. In 2014, with respect to the structure of the employed population by economic sector, there were no significant variations in any of the sectors compared with the same period of previous years. For every 10 workers, around 8 worked in the tertiary sector[6] and 2 in the secondary sector.[7]

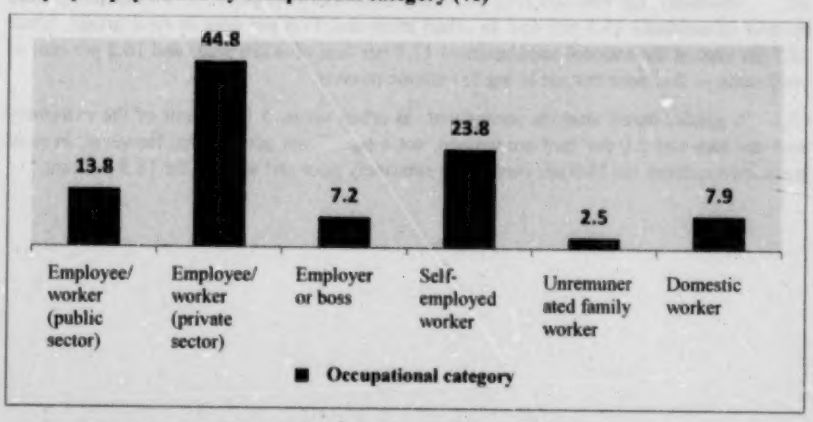
Table 22
**Employed population by branch of economic activity (%)**




*Source*: Dirección General de Estadística, Encuestas y Censos (DGEEC), 2014.

57. The same structure applied to occupational category. Including domestic work, for every 10 workers, around 7 were wage earners or dependants and 3 were independent.

Table 23
**Employed population by occupational category (%)**




*Source*: Dirección General de Estadística, Encuestas y Censos (DGEEC), 2014.

[6] Trade, services, other.
[7] Manufacturing industries, construction.

58. The average monthly income (constant income) of the employed population at the end of 2014 was about 2,353,000 guaraníes, slightly more (by 1.1 per cent) than the estimate for the same period in 2013 (2,327,000 guaraníes).

59. During the period 2013-2014, in the classification by occupational category, there was a decline in the average monthly income of public employees and workers (-8.5 per cent) (3,000,000 guaraníes vs. 3,259,000 guaraníes), while the highest increase was observed among the self-employed.

Table 24
**Average monthly income (Thousands of guaraníes and constant income) of the employed population by occupational category**

| *Occupational category* | *2013* | *2014* |
|---|---|---|
| **Total** | **2 327.8** | **2 353.0** |
| Employee/worker (public sector) | 3 259.3 | 3 003.5 |
| Employee/worker (private sector) | 2 204.6 | 2 268.8 |
| Self-employed worker | 2 369.2 | 2 487.8 |
| Domestic worker | 1 239.3 | 1 242.2 |

*Source*: Dirección General de Estadística, Encuestas y Censos (DGEEC).

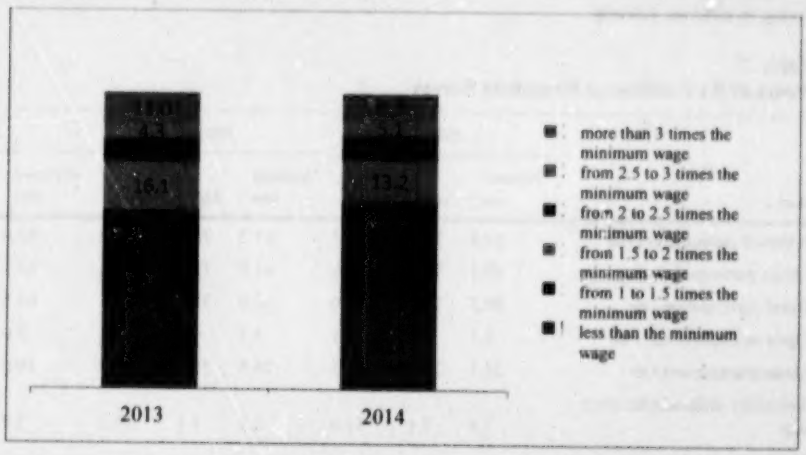
60. As indicated in table 23, the proportion of the wage-earning population earning less than the minimum wage held relatively steady in 2013 and 2014 (30.3 per cent and 30.1 per cent, respectively). However, for those earning more than three times the minimum wage, monthly income decreased by 2.1 per cent. There was an income redistribution in the other brackets, with a 3.8-percentage-point rise for those earning 1 to 1.5 times the minimum wage.

61. Nationally, the proportion of extremely poor was 10.1 per cent, with different rates by area of residence (5.1 per cent in urban areas and 17.6 per cent in rural areas). Some 13.7 per cent of the national population — 11.9 per cent of urban areas and 16.2 per cent of rural areas — was poor but not living in extreme poverty.

62. A gender-based analysis shows that, in urban areas, 5.1 per cent of the extremely poor are men and 5.0 per cent are women, not a significant gender gap. However, in rural areas, men account for 16.8 per cent of the extremely poor and women for 18.5 per cent.

Table 25

**Wage-earning population (public- and private-sector employees and workers), by monthly income bracket (%), 2013-2014**


16.1
13.2
2013
2014
more than 3 times the minimum wage
from 2.5 to 3 times the minimum wage
from 2 to 2.5 times the minimum wage
from 1.5 to 2 times the minimum wage
from 1 to 1.5 times the minimum wage
less than the minimum wage

*Source*: Dirección General de Estadística, Encuestas y Censos (DGEEC).

Table 26

**Population by geographical area and area of residence, by sex and poverty status**

| | | *Area* | | | *Category* | |
|---|---|---|---|---|---|---|
| *Sex and poverty status* | *Total* | *Asunción and Central Urban dept.* | *Other urban areas* | *Rural areas* | *Urban* | *Rural* |
| **Total** | **6 672 517** | **2 473 443** | **1 503 510** | **2 695 564** | **3 976 953** | **2 695 564** |
| Extremely poor | 10.1 | 4.5 | 6.1 | 17.6 | 5.1 | 17.6 |
| Not extremely poor | 13.7 | 12.6 | 10.8 | 16.2 | 11.9 | 16.2 |
| Not poor | 76.2 | 82.9 | 83.1 | 66.2 | 83.0 | 66.2 |
| Men | 3 326 950 | 1 192 978 | 731 003 | 1 402 969 | 1 923 981 | 1 402 969 |
| Extremely poor | 10.0 | 4.4 | 6.3 | 16.8 | 5.1 | 16.8 |
| Not extremely poor | 13.1 | 12.0 | 10.5 | 15.4 | 11.4 | 15.4 |
| Not poor | 76.8 | 83.6 | 83.2 | 67.8 | 83.4 | 67.8 |
| Women | 3 345 567 | 1 280 465 | 772 507 | 1 292 595 | 2 052 972 | 1 292 595 |
| Extremely poor | 10.3 | 4.5 | 5.9 | 18.5 | 5.0 | 18.5 |
| Not extremely poor | 14.2 | 13.2 | 11.1 | 17.1 | 12.4 | 17.1 |
| Not poor | 75.5 | 82.3 | 83.0 | 64.4 | 82.6 | 64.4 |

*Source*: DGEEC. Continuous Household Survey 2013. Boquerón and Alto Paraguay departments are excluded, as are domestic household workers.

63. With regard to the (not extremely) poor, in urban areas the gender gap is 1 per cent: 11.4 per cent for men and 12.4 per cent for women. In rural areas there is a greater gap between men (15.4 per cent) and women (17.1 per cent) among those who are poor but not living in extreme poverty.

Table 27
**Years of the Continuous Household Survey**

| | 2003 | | | 2008 | | | 2013 | | |
|---|---|---|---|---|---|---|---|---|---|
| *Rate* | *National rate* | *Men* | *Women* | *National rate* | *Men* | *Women* | *National rate* | *Men* | *Women* |
| National participation rate | 59.8 | 74.3 | 45.7 | 61.7 | 75.8 | 47.9 | 62.6 | 73.8 | 51.9 |
| Urban participation rate | 59.2 | 70.7 | 48.9 | 61.5 | 73.7 | 50.2 | 62.1 | 70.6 | 54.6 |
| Rural participation rate | 60.7 | 78.7 | 41.0 | 62.0 | 78.8 | 44.3 | 63.4 | 78.3 | 47.2 |
| Open unemployment rate | 8.1 | 6.7 | 10.1 | 5.7 | 4.6 | 7.4 | 5.0 | 4.5 | 5.7 |
| Underemployment rate | 24.1 | 21.5 | 28.3 | 26.5 | 25.0 | 28.9 | 19.0 | 16.2 | 23.0 |
| Voluntary underemployment rate | 7.6 | 5.1 | 11.6 | 6.9 | 4.8 | 10.2 | 5.8 | 3.7 | 8.7 |
| Involuntary underemployment rate | 16.5 | 16.4 | 16.7 | 19.6 | 20.2 | 18.7 | 13.3 | 12.5 | 14.3 |

64. The participation rate for women at the national level, urban and rural areas combined, rose by some 6.2 to 5.7 per cent in the decade 2003-2013, while for men it fell slightly, by 0.5 to 0.1 per cent.

65. Underemployment rates fell among women in the same decade, from 28.3 to 23.0 per cent, but there was an even greater gap between men (19.0 per cent) and women (23.0 per cent), meaning that underemployment is predominantly feminine. Some 19 per cent of the economically active population is underemployed, or more than 656,000 individuals, who work less than 30 hours a week, would like to work more and are available to do so, or who work 30 hours or more a week and earn less than the existing minimum wage (EPH-2013).

66. Owing to the predominance of small- and medium-sized businesses in the national economy, approximately 65.9 per cent of all workers are employed by companies with less than 10 employees. This means that the Paraguayan economy is composed predominantly of workers in the informal sector.

Table 28
**Main occupation by area of residence and sex, by occupational category (%)**

| | *National total*[1] | | | *Urban* | | | *Rural* | | |
|---|---|---|---|---|---|---|---|---|---|
| *Occupational category*[2] | ***Total*** | *Men* | *Women* | ***Total*** | *Men* | *Women* | ***Total*** | *Men* | *Women* |
| **Total** | **3 274 819** | **1 904 474** | **1 370 345** | **1 948 856** | **1 045 066** | **903 790** | **1 325 963** | **859 408** | **466 555** |
| Employee/worker (public sector) | **11.1** | 9.3 | 13.7 | **15.0** | 13.0 | 17.5 | **5.3** | 4.8 | 6.4 |
| Employee/worker (private sector) | **36.5** | 44.6 | 25.2 | **43.1** | 53.6 | 31.1 | **26.7** | 33.7 | 13.9 |
| Employer or boss | **6.2** | 7.7 | 4.1 | **7.6** | 9.9 | 4.9 | **4.1** | 4.9 | 2.6 |
| Self-employed worker | **30.9** | 29.6 | 32.8 | **22.1** | 20.2 | 24.4 | **43.9** | 41.1 | 49.1 |

| Occupational category [2] | National total [1] | | | Urban | | | Rural | | |
|---|---|---|---|---|---|---|---|---|---|
| | **Total** | Men | Women | **Total** | Men | Women | **Total** | Men | Women |
| Unremunerated family worker | **8.0** | 7.9 | 8.1 | **3.6** | 2.5 | 4.9 | **14.4** | 14.5 | 14.1 |
| Domestic worker | **7.2** | 0.9 | 16.0 | **8.3** | 0.8 | 17.1 | **5.5** | (*) | 13.9 |
| Not available | **0.1** | 0.1 | 0.1 | **0.1** | 0.1 | 0.2 | **0.0** | 0.1 | - |

*Source:* DGEEC, Encuesta Permanente de Hogares 2013.

(*) Insufficient sample size, less than 30 individuals.

[1] Boquerón and Alto Paraguay Departments not included.

[2] Only the main occupation is considered.

67. The primary or extractive sector absorbs 23.4 per cent of the employed; the secondary sector, 16.6 per cent; and the tertiary sector, 59.9 per cent. Around 75.6 per cent of employed women work in the tertiary sector, while men are distributed basically between the tertiary and primary sectors (48.7 per cent; 22.8 per cent).

## 6. Cultural indicators

68. Education in Paraguay is divided into three stages: preschool, basic education and intermediate education.

69. Basic education is compulsory; it encompasses grades 1 to 9 and is divided into three cycles of three years each. Since the 1994 education reform, pupils have been required to complete grades 7 to 9, which had not been compulsory under the previous system as they had been part of secondary education. The education reform also involved changes in the school curricula, such as the inclusion of new subjects, the updating of existing curricula, and new evaluation methods. Intermediate education has now replaced secondary education and encompasses grades 1 to 3. Preschool education (kindergarten and preschool) and intermediate education were made free of charge under Act No. 4088/2010.

70. Enrolment rates for the various education stages and cycles fluctuated during the period 2009-2013, increasing and decreasing slightly.

71. With respect to the first and second cycles, the figures vary slightly when disaggregated by area of residence. In the third cycle there is a very large gap in enrolment between rural and urban areas: it is twice as high in urban areas and three times as high in intermediate education.

Table 29

**Overall enrolment by education level and zone for the period 2009-2013**

| | Area of residence | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | Urban | | | | Rural | | | |
| | Basic education | | | | Basic education | | | |
| Year | Preschool | 1st and 2nd cycles | 3rd cycle | Intermediate education | Preschool | 1st and 2nd cycles | 3rd cycle | Intermediate education |
| 2009 | 68 409 | 462 956 | 215 122 | 169 941 | 49 972 | 387 617 | 106 416 | 55 969 |
| 2010 | 68 495 | 455 004 | 218 767 | 172 272 | 50 877 | 378 483 | 110 515 | 56 799 |
| 2011 | 67 242 | 445 390 | 220 129 | 181 201 | 48 569 | 369 261 | 114 043 | 61 027 |
| 2012 | 69 234 | 461 218 | 222 218 | 187 380 | 43 639 | 341 323 | 108 179 | 61 219 |

| | Area of residence | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | Urban | | | | Rural | | | |
| | Basic education | | | | Basic education | | | |
| Year | Preschool | 1st and 2nd cycles | 3rd cycle | Intermediate education | Preschool | 1st and 2nd cycles | 3rd cycle | Intermediate education |
| 2013 | 69 146 | 455 525 | 214 248 | 190 117 | 41 757 | 333 175 | 106 441 | 64 072 |

*Source*: MEC-DGPE. SIEC 2009-2013.

Table 30
**Population aged 15 and over by area of residence, by literacy rate**

| | National total | | |
|---|---|---|---|
| Literacy rate | Total | Urban | Rural |
| **Total** | **4 781 821** | **2 932 379** | **1 849 442** |
| Literate | 95 | 96.9 | 91.1 |
| Illiterate | 5 | 3.1 | 8.9 |

*Source*: DGEEC. Encuesta Permanente de Hogares 2013.

72. Based on DGEEC data, the majority of illiterates are concentrated in the rural areas, almost 5 per cent more than in urban areas.

73. The proportion of repeaters by academic cycle does not exceed 5 per cent of the total number of pupils enrolled in the first and second cycles of basic education, and fluctuates around 1 per cent in the third cycle of basic education and in intermediate education.

Table 31
**Percentage of repeaters by level/cycle, 2009-2013**

| | Basic education | | |
|---|---|---|---|
| Year | 1st and 2nd cycles | 3rd cycle | Intermediate education |
| 2009 | 5.2% | 1.0% | 0.8% |
| 2010 | 4.8% | 1.1% | 0.9% |
| 2011 | 4.6% | 1.1% | 0.6% |
| 2012 | 4.6% | 1.3% | 0.9% |
| 2013 | 4.4% | 1.3% | 0.9% |

*Source*: MEC-DGPE. SIEC 2009-2013.

74. The number of students who are older than the average for the year in which they are enrolled has fallen gradually in basic education but risen slightly in intermediate education over the past three years, according to data provided by the Ministry of Education and Culture. However, these proportions continue to be high for both levels, a situation that is of great concern because repeaters and overage pupils often drop out of school.

Table 32
**Percentage of overage pupils by level/cycle, 2009-2013**

| Year | Basic education | | | Intermediate education |
|---|---|---|---|---|
| | Preschool | 1st and 2nd cycles | 3rd cycle | |
| 2009 | 0.8% | 17.9% | 17.9% | 16.5% |
| 2010 | 0.7% | 17.4% | 17.3% | 15.8% |
| 2011 | 0.6% | 16.3% | 17.2% | 15.4% |
| 2012 | 0.7% | 16.0% | 17.2% | 16.9% |
| 2013 | 0.6% | 15.8% | 17.3% | 17.4% |

*Source*: MEC-DGPE. SIEC 2009-2013.

75. The highest dropout rate[8] occurs during the third cycle of basic education, followed by intermediate education. Nevertheless, in recent years, the dropout rate has declined slightly in basic education and very significantly in intermediate education.

Table 33
**Percentage of graduates by level/cycle, 2009-2013**

| Year | Basic education | | Intermediate education |
|---|---|---|---|
| | 1st and 2nd cycles | 3rd cycle | |
| 2009 | 3.7% | 4.8% | 4.6% |
| 2010 | 3.6% | 4.6% | 4.4% |
| 2011 | 3.5% | 4.8% | 5.0% |
| 2012 | 3.3% | 4.9% | 4.6% |
| 2013 | 3.1% | 4.8% | 3.8% |

*Source*: MEC-SIEC 2009-2013.

Table 34
**Percentage of retention by level of education**

| Level | Cohort | Retention rate | Completion rate |
|---|---|---|---|
| Basic education | 2004-2012 | 55.3 | 49.7 |
| Intermediate education | 2010-2012 | 78.9 | 75.0 |
| Basic and intermediate education | 2001-2012 | 36.6 | 34.7 |

*Source*: MEC-DGPE. SIEC 2004-2012.

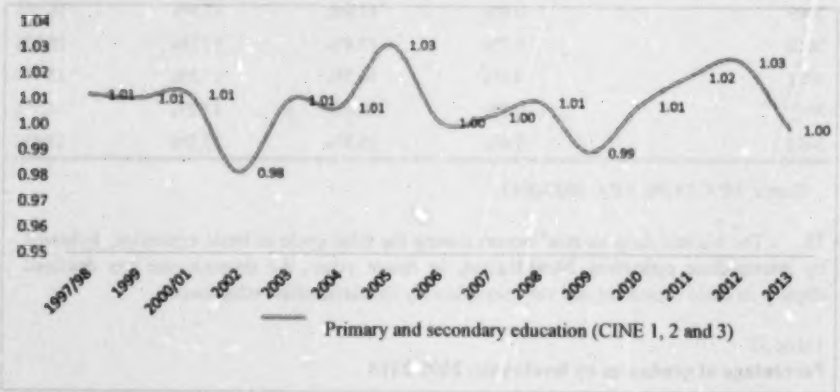
76. Gender parity in education[9] over the past 15 years has progressed in terms of equitable access to education by girls and boys in primary school (CINE 1) and secondary school (CINE 2 and 3), the result of policies, plans and programmes to promote the integration of women into the local development process and thereby close the education gap between women and men.

[8] Defined as the number of pupils who are enrolled in schools and subsequently abandon their studies.
[9] This refers to equitable participation by population groups of both sexes in the various education levels.

77. Paraguay has generally achieved this goal for the 1997/8-2013 series, as the gender parity index[10] is between 0.97 and 1.03, a range defined as constituting gender parity.[11]

Table 35

**Gender parity index for the gross attendance rate of girls and boys in primary and secondary education (CINE 1, 2 and 3)**




*Source*: DGEEC: Encuesta Integrada de Hogares 1997/98, 2000/01, and Encuesta Permanente de Hogares 1999, 2002-2014.

78. The overall average is indicative of parity in the gross attendance and enrolment rates combined. In 2013, 100 girls participated in this level (CINE 1, 2 and 3) for every 100 boys, which represents perfect equity.

79. Gender parity exists at the global level, as reflected in the narrowing gaps between boys and girls in the levels of education. There is still, however, room for improvement, particularly in rural areas and in intermediate education.

80. With regard to quantitative education indicators, the statistics reflect parity between boys and girls with respect to the gross attendance rate. However, despite the fact that in terms of access, staying in school and academic performance, girls do as well as or better than boys, boys and girls are still not on an equal footing, and this is still not what is needed to create a society that is more just and more egalitarian. The statistics offer no evidence of discrimination in school, but stereotypes and traditional beliefs, transmitted by the family and the community, are reproduced and reinforced in the classroom.

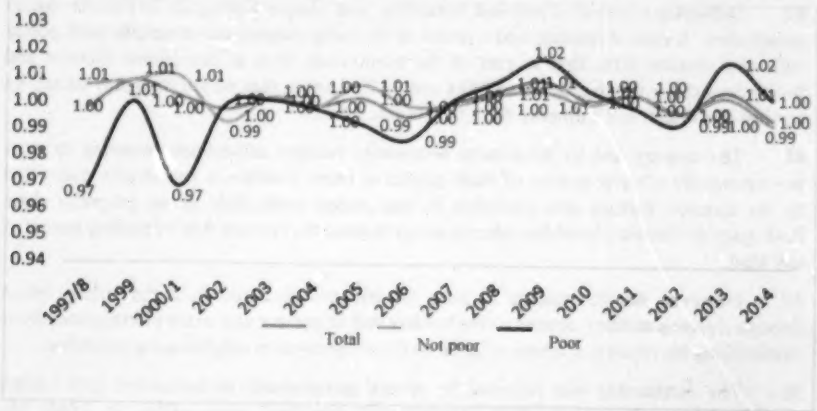
81. The gender parity index for the literacy rates of girls and boys aged 15 to 24 for the period 1997/98-2014 has remained steady, in some years close to and in others equal to 1, reflecting equity between women and men at the national level and by areas of residence and poverty status.

[10] Defined as the relationship between the gross attendance and enrolment rates combined of girls vs. those of boys.

[11] World Atlas of Gender Parity in Education.

Table 36

**Literacy ratio for men and women aged 15 to 24, by poverty status**




*Source*: DGEEC: Encuesta Integrada de Hogares 1997/98, 2000/01, and Encuesta Permanente de Hogares 1999, 2002-2014.

## B. Constitutional, political and legal structure of the State

### 1. History and political background

82. As part of their conquest of South America, the Spaniards made their way to the centre of the continent and the banks of the Paraguay River. In 1537, they built a fort, named Nuestra Señora de la Asunción, that would become the mainstay and lifeline for further settlements in the River Plate region. It was the starting point for virtually all the expeditions that led to the founding of what are now major cities in South America, and this explains why Asunción is considered the "Mother of Cities".

83. The Spaniards founded cities, built forts and spread Christianity and Spanish culture; they also established certain forms of limited "representative" government, known as *cabildos* or municipal governments, which were of great importance in the colony's political and social life.

84. Members of the cabildos were appointed by the governors from among the most respected people in the community, such as notaries, merchants, ranchers and landowners. However, "open cabildos" — true popular assemblies — were formed on more than one occasion to deal with matters of particular significance. One such example was the Open Cabildo of Asunción, which supported the Revolution of the Comuneros led by the tribunes Antequero and Mómpox.

85. It was not the viceroys, governors, judges, aldermen or high courts that prepared the colonies for self-government and still less for a political life with "popular representation". That contribution was made by the cabildos, the communal governments or the municipal governments.

86. The aspirations of Buenos Aires after 25 May 1810 to annex Paraguay as a province under the authority of its governing junta; the ineffectiveness of the Spanish Governor, Bernardo de Velazco, who had links with the Portuguese forces; and the courage displayed by Paraguayan troops in their victory over the Argentine forces seeking to annex Paraguay

led to the historic liberation on 14 and 15 May 1811, which gave birth to Paraguay as an independent State.

87. Following a period of political instability, José Gaspar Rodríguez de Francia rose to prominence. A man of learning and a leader of the independence movement, he took power with consummate skill, first as part of the triumvirate, then as provisional dictator and finally as dictator for life, between 1814 and 1840. During that period Paraguay closed its borders to contacts and influence from the outside world.

88. The country and its inhabitants necessarily became self-reliant, reverting to what was essentially a barter system of trade subject to many limitations and strictly controlled by the dictator. Culture and education in that period made little or no progress, since Rodriguez de Francia closed the schools and prevented the introduction of reading matter of any kind.

89. However, he did manage to keep the territory inherited from the colony intact through rigorous military control of the borders and to prevent any external influences from destabilizing his regime, at a time of great political upheaval in neighbouring countries.

90. The dictatorship was followed by several governments in succession until Carlos Antonio López, Paraguay's first constitutional President, took office in 1844. He modernized the country and opened it up to trade, promoted literature and the arts, and sent students abroad on scholarships, but left boundary disputes with Brazil and Argentina unresolved on his death in 1862.

91. Carlos Antonio López was succeeded by his son, Brigadier-General Francisco Solano López, who had been a mediator in the Argentine civil war, preventing a blood bath thanks to the Pact of San José de Flores in 1859. However, efforts to settle the boundary disputes failed to produce an agreement that satisfied Paraguay, despite the legitimate arguments it put forward. The country lost favour and a Triple Alliance, initially kept secret, was formed between the armies of Argentina, Brazil and Uruguay in order to dispossess Paraguay of extensive tracts of land.

92. Paraguay was then invaded, sacked and pillaged, and thrown into extreme poverty. Under a provisional government appointed by the occupying forces, however, and thanks to an arbitral award by United States President Rutherford B. Hayes, it succeeded in holding on to the part of the Chaco (western region) claimed by Argentina - which, like Brazil, was annexing vast and wealthy territories.

93. Up to 1912, and again from 1920 to 1924, Paraguay had a series of governments, most of them unstable. In 1932 the Chaco War broke out with Bolivia, which had designs on that particular part of the western region; there, in heroic fashion and almost without any military supplies whatsoever, the country rallied in the midst of war, winning a resounding victory.

94. The political situation then gave rise to a further succession of governments which, in terms of their duration, can only be described as unstable, until General Alfredo Stroessner came to power in 1954. General Stroessner instituted a permanent state of siege and centralized power solely in the executive branch.

95. Institutions were corrupted and the State machinery became yet another tool in the hands of the dictator, who used it essentially to manipulate the electorate and bring in an ostensibly democratic government, while manipulating the opposition and using its members as well as the governing party for his own ends. Anyone daring to oppose him on matters of principle or ideals was persecuted, arrested, tortured or even banished or exiled.

96. It was against this background that a coup d'état took place during the night of 2 to 3 February 1989, toppling the Stroessner regime and proclaiming the rule of law, respect for human rights, and freedom of thought and expression.

97. The coup d'état was followed by a transition to democracy. In the first democratic elections, General Andrés Rodríguez was elected President, and during his tenure, in 1992, the National Constitution of 1970 was replaced by the current Constitution, which was drawn up "by the Paraguayan people, through their lawful representatives meeting in a National Constituent Assembly, recognizing human dignity with the aim of ensuring freedom, equality and justice, reaffirming the principles of representative, participatory and pluralistic republican democracy, confirming national sovereignty and independence, and forming an integral part of the international community".

98. Pursuant to the Constitution, Paraguay is a social State subject to the rule of law and governed by a democratic and representative system consonant with modern doctrines and combining political democracy with economic and social democracy. Paraguay enjoyed relative political stability under the leadership of Andrés Rodríguez until 1999.

99. The assassination in March 1999 of the Vice-President, Luís María Argaña, brought on a political crisis that ended only with the resignation of President Raúl Cubas Grau after less than one year in office Juan Ángel González Macchi replaced Cubas as head of the legislative branch and in 2003 completed the term that had originally been held by Cubas and Argaña.

100. The 2003 presidential elections, won by Nicanor Duarte Frutos, ushered in a new period of political stability.

101. The elections of 20 April 2008 ended the hegemony of the Asociación Nacional Republicana (ANR) or Colorado Party, which had governed the country for over 60 years. Political power was handed over to the Patriotic Alliance for Change, a political movement led by the former Bishop of San Pedro, Fernando Lugo, who was supported by the Authentic Radical Liberal Party (PLRA) or Liberal Party, the main opposition party and, historically, the country's second most important political party, as well as by political parties of lesser importance and the socialist left.

102. In June 2012, pursuant to the Constitution, Congress instituted impeachment proceedings against President Fernando Lugo on the grounds of misconduct. After removing him from office, Congress appointed Federico Franco as acting President. Mr. Franco had been Vice President, having served as Fernando Lugo's running mate and been elected by popular vote.

103. Horacio Cartes was elected President by a constitutional vote in April 2013 and took office that August.

104. From 1989 to the present, Paraguay has made significant advances in human rights. It has now ratified most of the human rights treaties in addition to a series of agreements, protocols, conventions and pacts, and has established a legal framework to ensure their effective implementation.

105. Legal action has been brought against the majority of those responsible for human rights violations under the dictatorship. Moreover, in accordance with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, victims of human rights violations during that period have received and continue to receive compensation.

### 2. System of government

106. Paraguay is a republic, the President of which is chosen through democratic elections. In accordance with the principle of balance of powers, the legislative and judicial branches act as counterweights to the executive branch.

107. The democratic transition that began in 1989 led to the creation or reorganization of a number of politico-institutional structures and the approval of a new Constitution, which guarantees full respect for human rights.

108. In article 1 of its core pronouncements, the Constitution establishes that: "The Republic of Paraguay shall always be free and independent. It constitutes a social State subject to the rule of law, which shall be unitary, indivisible and decentralized in the form established by this Constitution and by law. The Republic of Paraguay shall be governed as a representative, participatory and pluralistic democracy, founded on the recognition of human dignity."

109. Article 2 of the Constitution stipulates: "In the Republic of Paraguay sovereignty resides with the people, who shall exercise it in accordance with this Constitution."

### 3. Legislative branch

110. As provided under title II (Structure and organization of the State), chapter 1 (Legislative branch), article 182, legislative power is exercised by Congress. Its duties and functions are laid out in article 222.[12] Congress is composed of a Chamber of Senators and a Chamber of Deputies, with 45 and 80 members respectively. Members are elected in general elections, under a "closed list" system, and seats are allocated as per the D'hont method on the basis of the number of votes obtained by each party. The term of office for both senators and deputies is five years, and they may be re-elected.

111. Both chambers meet annually in ordinary sessions, from 1 July of each year to 30 June of the following year, with a recess from 21 December to 1 March, on which date the President of the Republic presents his report, pursuant to article 184 of the Constitution.

[12] (a) To ensure observance of the Constitution and the law; (b) enact codes and laws, amend or waive them, in interpretation of the Constitution; (c) determine the political division of the territory of the Republic, and the organization of its regions, departments and municipalities; (d) legislate on taxation; (e) approve the national budget each year; (f) enact the electoral law; (g) determine the legal system for the disposal and acquisition of governmental, departmental and municipal property; (h) issue decisions and authorizations, and formulate declarations, in accordance with its powers; (i) approve or reject treaties and other international agreements signed by the executive branch; (j) approve or reject arrangements for loans; (k) authorize, for specified periods, concessions to operate national or multinational public services or manage State property, and to extract and process solid, liquid or gaseous minerals; (l) enact laws on the organization of the administration of the Republic, for the purpose of establishing decentralized bodies and administering public credit; (m) issue emergency laws in the event of a disaster; (n) receive the constitutional oath or promise of the President of the Republic, the Vice-President and other officials, in accordance with the Constitution; (o) receive from the President of the Republic a report on the overall situation and administration of the country and on government plans; (p) accept or reject the resignation of the President of the Republic or the Vice-President; (q) issue the authorizations and make the appointments prescribed in the Constitution, and designate representatives of Congress in other State organs; (r) issue amnesties; (s) decide on any transfer of the capital of the Republic to another part of Paraguay, by a two-thirds majority of the members of each chamber; (t) approve or reject, wholly or in part, and further to a report by the Comptroller General of the Republic, the particulars and evidence of public income and expenditure under the budget; (u) issue regulations on river, maritime, air and space traffic; and (v) any other duties and powers established in the Constitution.

112. As further provided under article 184, the two chambers may convene extraordinary sessions or prolong their session by a decision approved by one quarter of the members of either house, by a resolution approved by two thirds of the Standing Congressional Committee, or by an executive decree. The president of Congress, or of the Standing Committee, must convene such sessions within 48 hours.

113. Prolongation of sessions is carried out in the same manner. Extraordinary sessions are convened for the purpose of considering a set agenda and end when the agenda has been completed.

114. Each chamber designates its authorities and appoints its employees, in accordance with article 200 relating to the election of authorities.

115. As provided under section II (Drafting and approval of laws), article 203 (Origin and initiation of laws), a law may be proposed by a member of either chamber of Congress, by the executive branch, by popular initiative or by the Supreme Court of Justice, in the cases and under the terms set out in the Constitution and by law. The only exceptions with regard to the initiation of laws by one or the other chamber or by the executive branch are those expressly laid down in the Constitution. Each new bill must be accompanied by the appropriate justification.

116. As provided under article 204 (Approval and promulgation of laws), once a bill has been approved by the chamber where it originated, it must be submitted immediately to the other chamber for consideration. Following approval by the other chamber, the bill is considered to have passed. If approved by the executive branch, the bill is promulgated as law and published within five days.

117. As provided under article 205 (Automatic promulgation), any bill that has not been vetoed or returned by the executive branch to the originating chamber within six working days, if it contains less than 10 articles, or within 12 working days, if it contains more than 20 articles, will be considered to have been approved by the executive branch. In all such cases, the law will be promulgated automatically and its publication will be arranged.

118. Under article 222, the exclusive powers of the Chamber of Deputies are to: (a) initiate the consideration of bills pertaining to departmental and municipal legislation, and (b) appoint or promote judges and public officials, in accordance with the Constitution and the law.

119. As set out in article 224, the exclusive powers of the Chamber of Senators are to: (a) initiate the consideration of bills concerning the approval of international treaties and agreements; (b) approve military and police promotions, as from the rank of Colonel in the army or the equivalent in the other branches and services, and as from the rank of Chief Commissioner in the police; (c) authorize the appointment of ambassadors and ministers plenipotentiary abroad; (d) appoint or nominate judges and public officials, in accordance with the Constitution; (e) authorize the dispatch of Paraguayan military forces abroad, and the admission of foreign troops into Paraguay; (f) approve the appointment of the Chairman and directors of the Central Bank of Paraguay; (g) approve the appointment of Paraguayan directors of binational bodies; and (h) any other exclusive powers established in the Constitution.

### 4. Executive branch

120. As provided under chapter II (Executive branch), section 1 (President and Vice-President of the Republic), article 226, executive power is exercised by the President. Article 228 stipulates that to serve as President or Vice-President, it is necessary to be a Paraguayan national by birth, to have reached 35 years of age and to be in full possession of one's civil and political rights.

121. Article 227 establishes the office of Vice-President of the Republic. The Vice-President can immediately take over from, and exercise all the functions of, the President if the latter is unable to perform those functions or is temporarily absent or if the office of President falls vacant.

122. As provided under article 229, the President and Vice-President each serve a five-year fixed term of office, beginning on 15 August following the elections. They may under no circumstances be re-elected. The Vice-President may, however, be elected President for the subsequent term, provided that he/she has ceased to serve in his/her post six months before the general election. No one who has served as President for more than 12 months may be elected Vice-President.

123. The President and Vice-President of the Republic are to be elected together and directly by the people, by a simple majority of votes cast in a general election which must be held between 90 and 120 days before the end of the current constitutional term, pursuant to article 230 of the Constitution. The President and Vice-President take the oath of office before Congress, pledging to comply faithfully and patriotically with their constitutional duties. If on the appointed day, Congress fails to reach the quorum needed to hold a meeting, the ceremony will take place before the Supreme Court of Justice (art. 232).

124. The duties and powers of the President are as provided under article 238[13] of the Constitution.

125. As laid down in article 239, the duties and powers of the Vice-President are to: (a) take over immediately from the President in the cases provided for by the Constitution; (b) represent the President, nationally or internationally, when so designated by the President

[13] (a) To represent the State and direct the general administration of the country; (b) implement and enforce the Constitution and the laws; (c) participate in the drafting of legislation, in accordance with the Constitution, and promulgate, have published, regulate and oversee the implementation of such legislation; (d) veto wholly or in part laws passed by Congress, making what comments or objections he/she deems appropriate; (e) issue decrees, which require the endorsement of the minister of the department concerned in order to become effective; (f) appoint or remove ministers of the executive branch, the Attorney General of the Republic or public officials at his/her own discretion where their appointment to, and tenure in, such posts are not otherwise regulated by the Constitution or the law; (g) direct the conduct of the Republic's external relations; in the event of external aggression, and subject to Congressional authorization, declare a national state of defence or conclude peace; (h) negotiate and sign international treaties; (i) receive the heads of diplomatic missions and consuls of foreign countries; appoint ambassadors, with the approval of the Senate; (j) give an account to Congress, at the beginning of each annual session, of the activities of the executive branch, and also report on the state of the nation and plans for the future; (k) act as Commander of the National Armed Forces, a function which may not be delegated; in accordance with the law, issue military regulations and direct, organize and station the Armed Forces; appoint or remove the commanders of the forces of law and order at his/her own discretion; take the necessary measures for the defence of the nation; assign ranks in all the services up to that of Lieutenant-Colonel or its equivalent at his/her own discretion, and assign higher ranks with the approval of the Senate; (l) grant pardons or commute sentences imposed by the judges and courts of the Republic, in accordance with the law and with the advice of the Supreme Court of Justice; (m) convene Congress in special sessions of either or both Chambers to deal solely with those matters put before them for their respective consideration; (n) place before Congress draft legislation, which may be accompanied by a request for urgent consideration, within the terms laid down by the Constitution; (o) direct the collection and investment of the revenues of the Republic, in accordance with the national budget and the law, and report annually to Congress on the execution of the budget; (p) prepare the draft annual budget of the nation and present it for consideration by the Chambers; (q) ensure the implementation of decisions of the authorities created by the Constitution; and (r) exercise such other duties or powers as are specified by the Constitution.

and with all the latter's prerogatives; and (c) participate in the deliberations of the Council of Ministers and coordinate relations between the executive and the legislative branches.

126. Section II of the Constitution concerns the ministers and the Council of Ministers of the executive branch. Section II, article 240, entrusts the management and conduct of public affairs to the ministers, whose number and functions are determined by law.

127. As provided under article 242 (Duties and powers of the ministers), ministers are the administrative heads of their respective government departments, where, under the direction of the President of the Republic, they promote and execute policy relating to matters within their fields of competence. They bear joint and several responsibility for the acts of State they endorse. Each year they submit to the President of the Republic a written report on their activities, which is brought to the attention of Congress.

128. The Council of Ministers is convened by the President of the Republic to coordinate executive tasks, promote government policy and adopt collective decisions. It deliberates on all matters of public interest raised by the President of the Republic for consideration by the Council, acting as an advisory body; discusses initiatives in the legislative field; and ensures that its decisions are published regularly.

129. The Office of the Attorney General of the Republic is established under section III, articles 244 to 246. It is headed by the Attorney General, who is appointed and removed by the President of the Republic.

### 5. Attorney General of the Republic

130. The duties and powers of the Attorney General of the Republic are to: (a) represent and defend the patrimonial interests of the Republic in judicial or extrajudicial proceedings; (b) issue rulings in such cases and for such purposes as may be specified by the law; (c) provide legal advice to the public administration in the form laid down by law; and (d) exercise such other duties and powers as may be defined by the law.

### 6. Judicial branch

131. As provided under chapter III (Judicial branch), section I (General provisions), article 247 (Function and composition), the judiciary is the custodian of the Constitution and interprets and enforces it. Justice is administered by the judiciary, through the Supreme Court of Justice and the other courts, as established by the Constitution and by law.

132. The judicial branch has its own budget, pursuant to article 249. The national budget allocates to the judicial branch no less than 3 per cent of the central government's budget. The budget of the judicial branch is approved by Congress, and the Comptroller General controls all the judiciary's expenditures and investments.

133. As provided under article 250, Supreme Court justices take the oath of office before Congress. All other judges are sworn in before the Supreme Court of Justice. Members of the country's courts are appointed by the Supreme Court from a list of three candidates proposed by the Council of the Judiciary (art. 251).

134. Pursuant to article 252, judges may not be removed from their post, seat or rank during the term for which they have been appointed. They may not be transferred or promoted without their prior and express consent. Judges are appointed for a five-year term, beginning on the day of the appointment. Judges who have served two terms following the term for which they were appointed may not be removed from their post until reaching the age limit established for Supreme Court justices.

135. As provided under article 253, judges may only be tried and removed from office for crimes or misconduct as defined by law by a decision of a Judges Impeachment Panel,

composed of two Supreme Court justices, two members of the Council of the Judiciary, and two senators and two deputies, who must be lawyers. The functioning of the Judges Impeachment Panel is governed by law.

136. As laid down in article 256, court proceedings are oral and public, in the manner and to the extent established by law. All court rulings are based on the Constitution and the law and may be openly criticized. Proceedings regarding labour matters are comprehensive and based on the principles of immediacy, economy and concentration.

137. As provided under section II, article 258, the Supreme Court of Justice has nine members and is organized into chambers, one of which hears constitutional matters. Each year members of the Supreme Court elect one of the justices as president of the Court. Members of the Supreme Court may only be removed by impeachment. They remain in their post until the age of 65.

138. Article 259 lays down the duties and powers of the Supreme Court of Justice.[14]

139. Article 260 sets forth the duties and powers of the Constitutional Chamber.[15]

### 7. Council of the Judiciary

140. Section III of the Constitution refers to another constitutional body, the Council of the Judiciary. Its composition is provided for under article 262 (Composition).[16]

141. The duties and powers of the Council of the Judiciary are laid down in article 268.[17]

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[14] (a) To oversee all bodies of the judiciary and decide, in sole instance, on conflicts of jurisdiction, in accordance with the law; (b) issue its own rules of procedures, and submit an annual report to the executive branch and the legislative branch on its activity and on the status and needs of national justice; (c) hear and rule on general appeals specified by law; (d) hear and rule, on first instance, on habeas corpus, without prejudice to the jurisdiction of other courts; (e) hear and rule on unconstitutionality; (f) hear and rule on applications for judicial review, in the manner and to the extent established by law; (g) preventively suspend, on its own initiative or on a request made by the Judges Impeachment Panel by an absolute majority of the members, any judge who has been impeached, until final adjudication of the case; (h) supervise custodial establishments; (i) rule on conflicts of jurisdiction between the executive branch and departmental authorities and between the latter and municipal authorities; and (j) any other powers established in the Constitution and the law.

[15] (a) To hear and resolve cases involving the unconstitutionality of the laws and of other normative instruments, declaring inapplicable each specific case of a legal provision that is contrary to the Constitution, through rulings that will only affect the case in question; (b) decide on the unconstitutionality of final or interlocutory decisions and nullify those that are contrary to the Constitution; (c) petitions of unconstitutionality may be filed directly before the Constitutional Chamber of the Supreme Court of Justice or as a procedural defence before any other court, in which case the relevant files will be submitted to the Supreme Court.

[16] (a) A member of the Supreme Court of Justice, appointed by the Court itself; (b) a representative of the executive branch; (c) a senator and a deputy, each appointed by the respective Chamber; (d) two practising lawyers, directly elected by their peers; (e) a professor from the Faculty of Law of the National University, elected by his/her peers; and (f) a professor, with not less than 20 years' experience, from the faculties of law of the private universities, elected by his/her peers.

[17] (a) To draw up lists of three candidates for the Supreme Court of Justice, on the basis of suitability and merit, and forward the lists to the Chamber of Senators to appoint such persons, with the approval of the executive branch; (b) draw up for the Supreme Court of Justice, with the same selection criteria, lists of three candidates for posts in the lower courts and for the office of judge or prosecutor; (c) draw up its own rules of procedure; and (d) any other duties and powers established in the Constitution and the law.

### 8. Public Prosecution Service

142. Section IV, article 267, establishes the Public Prosecution Service, which represents civil society in the courts and enjoys functional and administrative independence in discharging its duties and exercising its powers. The functions of the Service are exercised by the State Attorney General and the prosecutors as prescribed by law.

143. The duties and powers of the Public Prosecution Service[18] are set forth in article 268 of the Constitution.

144. The Attorney General is irremovable. He/she holds office for five years and may be re-elected. He/she is appointed by the executive branch, with the approval of the Senate, from a list of three candidates proposed by the Council of the Judiciary, as provided under article 269 of the Constitution.

### 9. Electoral courts system

145. As provided under section V (Electoral courts system), article 273, the convening, organizing, supervising and monitoring of acts and matters relating to general, departmental or municipal elections, and to the rights and qualifications of persons who are elected, fall exclusively within the jurisdiction of the electoral courts. Issues relating to any kind of referendum, and to elections and the functioning of political parties and movements, also fall within their jurisdiction.

146. As provided under article 274, the electoral courts system consists of the Higher Electoral Tribunal, the ordinary courts, the procurators' offices and any other bodies established by law, which specifies their organization and functions.

147. As provided under article 275, the Higher Electoral Tribunal consists of three members, who are elected and removed by the procedure established for members of the Supreme Court of Justice.

148. The conditions for membership on the Higher Electoral Tribunal are: Paraguayan nationality; a minimum age of 35; and a doctorate in law, in addition to at least 10 years' experience as a lawyer, judge or university professor of law, jointly, separately or successively.

### 10. Ombudsman's Office

149. As provided under chapter IV (Other State institutions), section I (Ombudsman's Office), article 276, the Ombudsman is a parliamentary commissioner whose duties are to defend human rights, channel claims by citizens and protect community interests. The Ombudsman may under no circumstances exercise a judicial or executive function.

150. The Ombudsman is independent and may not be removed from office. He/she is appointed by a two-thirds majority of the Chamber of Deputies, from a list of three candidates proposed by the Senate, to a five-year term, corresponding to the congressional term. The Ombudsman may be re-elected and may also be removed from office for misconduct, by the impeachment procedure established under the Constitution.

[18] (a) To ensure respect for constitutional rights and safeguards; (b) exercise the public right of action to defend the public and social heritage, the environment and other broad-ranging interests, as well as the rights of indigenous peoples; (c) initiate criminal proceedings in cases where an application by the interested party is not required in order to bring or continue such proceedings, without prejudice to cases in which the judge or court proceeds automatically, as determined by law; (d) gather information from public officials for the proper discharge of his/her duties; and (e) any other duties and powers established by law, in accordance with article 268 of the Constitution.

151. The duties and powers of the Ombudsman[19] are laid down in article 279.

Table 37
**Constitutional structure of the executive branch**

| *Function and body* | | *Composition* |
|---|---|---|
| Executive branch | | President of the Republic<br>Vice-President of the Republic |
| | Ministries and Secretariats of State | 1. Ministry of the Interior |
| | | 2. Ministry of Foreign Affairs |
| | | 3. Ministry of Finance |
| | | 4. Ministry of Education and Culture |
| | | 5. Ministry of Agriculture and Livestock-farming |
| | | 6. Ministry of Public Works and Communications |
| | | 7. Ministry of National Defence |
| | | 8. Ministry of Public Health and Social Welfare |
| | | 9. Ministry of Justice |
| | | 10. Ministry of Labour, Employment and Social Security |
| | | 11. Ministry of Trade and Industry |
| | | 12. Ministry for Women |
| | | 13. Technical Planning Secretariat for Economic and Social Development |
| | | 14 National Secretariat for Tourism |
| | | 15. National Anti-Drugs Secretariat |
| | | 16. Secretariat for Social Action |
| | | 17. Secretariat for the Environment |
| | | 18. Public Service Secretariat |
| | | 19. National Secretariat for Children and Adolescents |
| | | 20. Secretariat for Paraguayan Returnees and Refugees |
| | | 21. National Secretariat for Sport |
| | | 22. National Emergency Secretariat |
| | | 23. National Secretariat for Culture |
| | | 24. Secretariat for Information and Communication for |

[19] (a) To receive and investigate charges, complaints and claims concerning human rights violations and such other acts as may be determined by this Constitution and the law; (b) request from the authorities, including the police and security forces at their various levels, information for the more effective performance of his/her duties, the said authorities having no right of objection. The Ombudsman may have access to the places where the above-mentioned acts are reported to have been perpetrated. He/she may also act on his/her own initiative; (c) publicly censure acts or conduct contrary to human rights; (d) report annually to the two Chambers of Congress on his/her activities; (e) draw up and issue reports on those aspects of human rights which, in his/her view, require prompt public attention, together with any other duties and powers established by law.

| *Function and body* | *Composition* |
|---|---|
| | Development |
| | 25. National Secretariat for Housing and Habitat |
| | 26. National Secretariat for Information and Communication Technologies |
| | 27. National Language Policy Secretariat |
| | 28. National Secretariat to Combat Corruption |
| | 29. National Secretariat for the Human Rights of Persons with Disabilities |
| | 30. Secretariat for the Prevention of the Laundering of Money and Merchandise |
| | 31. National Youth Secretariat |

*Source:* Portal Paraguay, 2014.

Table 38
**Constitutional structure of the legislative branch**

| *Function and body* | | | *Composition* |
|---|---|---|---|
| Legislative branch | Chamber of Senators | President and Vice-President | President |
| | | | First Vice-President |
| | | | Second Vice-President |
| | | Parliamentary Secretariats | First Parliamentary Secretary |
| | | | Second Parliamentary Secretary |
| | | | Third Parliamentary Secretary |
| | | Secretariats | General Secretariat |
| | | | Administrative Secretariat |
| | | Standing Committees | 1. Constitutional affairs, national defence and public security forces |
| | | | 2. Legislation, codification, justice and labour |
| | | | 3. Finance and budget |
| | | | 4. Foreign affairs and international affairs |
| | | | 5. Petitions, powers and rules |
| | | | 6. Culture, education, religion and sport |
| | | | 7. Human rights |
| | | | 8. Economy, cooperative work, development and economic integration |
| | | | 9. Agrarian reform and rural welfare |
| | | | 10. Public health and social security |

| *Function and body* | | | *Composition* |
|---|---|---|---|
| | | | 11. Departmental, municipal, district and regional affairs |
| | | | 12. Public works and communication |
| | | | 13. Energy, national resources, population, environment, production and sustainable development |
| | | | 14. Equity and gender |
| | | | 15. Style |
| | | | 16. Accounts and monitoring of the State financial administration |
| | | | 17. Industry, trade and tourism |
| | | | 18. Prevention and combating of drug trafficking and related crimes |
| | | | 19. Social development |
| | | | 20. Indigenous peoples |
| | Chamber of Deputies | President and Vice-President | President |
| | | | First Vice-President |
| | | | Second Vice-President |
| | | Parliamentary Secretariats | First Parliamentary Secretary |
| | | | Second Parliamentary Secretary |
| | | | Third Parliamentary Secretary |
| | | Secretariats | General Secretariat |
| | | | Administrative Secretariat |
| | | Standing Committees | 1. Constitutional affairs |
| | | | 2. Economic and financial affairs |
| | | | 3. Legislation and codification |
| | | | 4. Foreign affairs |
| | | | 5. Justice, labour and social benefits |
| | | | 6. Human rights |
| | | | 7. Education, culture and religion |
| | | | 8. Works, public services and communications |
| | | | 9. Press, social communication, arts and entertainment |
| | | | 10. Agriculture and livestock-farming |
| | | | 11. National defence, security and public order |
| | | | 12. Industry, commerce, tourism and cooperative work |
| | | | 13. Public health |

| *Function and body* | *Composition* |
|---|---|
| | 14. Municipal and departmental affairs |
| | 15. Social development, population and housing |
| | 16. Budget |
| | 17. Budget accounts and budget control |
| | 18. Petitions, powers, rules and drafting |
| | 19. Combating drug trafficking |
| | 20. Science and technology |
| | 21. Energy, mining and hydrocarbons |
| | 22. Ecology, natural resources and environment |
| | 23. Rural welfare |
| | 24. Social and gender equality |
| | 25. Sports |
| | 26. Indigenous peoples |
| | 27. Binational hydroelectrical bodies |
| | 28. Migration and development affairs |

*Source:* www.senado.gov.py; www.diputados.gov.py.

Table 39
**Constitutional structure of the judicial branch**

| *Function and body* | | *Composition* | |
|---|---|---|---|
| Judicial branch | Supreme Court of Justice | Chambers | Constitutional Chamber |
| | | | Civil Chamber |
| | | | Criminal Chamber |
| | | Superintendency | Inspectorate of the Supreme Court of Justice |
| | | Court system | Courts of Appeal |
| | | | Accounts Court, Capital |
| | | | Courts of First Instance |
| | | | Criminal Sentencing Courts |
| | | | Justice Tribunals, Capital |
| | | | Magistrates' Courts |
| | | | Jurisdictional Assistance |
| | | | General Archives of the Courts |
| | | | General Accounting Office of the Courts |
| | | | Prison Oversight Office |

| *Function and body* | | *Composition* |
|---|---|---|
| | | Forensic Science Office |
| | | Coordination and Follow-up for Oral Proceedings |
| | | Office for the Courts of First and Second Instance |
| | | National Judicial Facilitators System |
| | | Mediation Office |
| | | Directorate-General for Constitutional Guarantees and Court Auctions |
| | | Directorate for Intellectual Property Rights |
| | | Divisions participating in trials |
| | | General Bankruptcy Receivers |
| | Registry system | Directorate-General of Public Registries |
| | | Office of Motor Vehicle Registration |
| | | Office of Marks and Signs |
| | Technical administrative system | Directorate-General of Administration and Finance |
| | | Procurement Unit |
| | | Office of Planning and Development |
| | | Directorate-General of Human Resources |
| | | Office of Computer Technology and Systems |
| | | Office of Statistics |
| | | Office of Ceremonies and Protocol |
| | | Office of Security and Internal Affairs |
| | Strategic and institutional support system | Office of International Affairs and Institutional Integrity |
| | | Documentation and Archive Centre (Museum of Justice) |
| | | International Centre for Legal Studies |
| | | Communications Directorate |
| | | Human Rights Directorate |
| | | Secretariat for Gender Issues |
| | Management audit system | Supervisory Authority for Justice |
| | | Directorate-General for Internal Auditing |

| *Function and body* | | *Composition* |
|---|---|---|
| | | Directorate-General for Judicial Management Auditing |
| | | Office of Internal Oversight |
| | | Office of Complaints and Allegations |
| | | Judicial ethics |
| | Local judicial districts | Board of Directors |
| | | Court system |
| | | Registry system |
| | | Technical administrative system |

*Source:* www.pj.gov.py/organigrama.

# II. General framework for the promotion and protection of human rights

152. During the long years of dictatorship in Paraguay, decision-making became increasingly centralized, and poverty and the social, economic and cultural exclusion of broad sectors of the population worsened. As a result, the capacity of social and grass-roots organizations to assert their rights and have an impact on the country's public, political, economic and social life was seriously undermined. The State institutions inherited from the dictatorship were weak for all those reasons and unable to fulfil their duty to respect, protect and guarantee the human rights of all Paraguayan citizens without discrimination.

153. The National Constitutional Convention was convened to deal with the situation. The Convention drew up the National Constitution of the Republic of Paraguay of 1992, a democratic charter guaranteeing human rights. The Constitution recognizes the fundamental rights inherent in the dignity of the human person, establishes a specific system of guarantees for the safeguarding and legal protection of those rights and enshrines the principle of separation of powers.

154. The human rights recognized in and guaranteed by the Constitution are compatible with treaties and other international instruments in that field which, under the Constitution, take precedence over domestic law.

## A. Acceptance of international human rights norms

155. Pursuant to the Constitution, international treaties that have been duly entered into and approved by an Act of Congress, and whose instruments of ratification have been exchanged or deposited, are part of domestic law with the rank specified in article 137.

156. Furthermore, as stipulated in article 142, international human rights treaties may not be denounced other than by the procedures governing amendments to the Constitution.

157. In its international relations, the Republic of Paraguay accepts international law and respects the following principles: (a) national independence; (b) self-determination of peoples; (c) legal equality among States; (d) international solidarity and cooperation; (e) international protection of human rights; (f) free navigation on international rivers; (g) non-

intervention; and (h) condemnation of all forms of dictatorship, colonialism and imperialism.

158. The Republic of Paraguay renounces war, but upholds the principle of self-defence. This declaration is compatible with the rights and obligations of Paraguay as a Member State of the United Nations and of the Organization of American States, and as a party to integration treaties, as set out in article 144 of the Constitution.

159. As provided under article 145, the Republic of Paraguay, on an equal footing with other States, recognizes a supranational legal order that guarantees human rights, peace, justice, cooperation, and political, economic, social and cultural development. Decisions on such matters may be adopted only by an absolute majority of each Chamber of Congress.

160. The Constitution recognizes rights, duties and guarantees relating to: life and the environment; freedom; equality; rights of the family; indigenous peoples; health; education and culture; work; economic rights and agrarian reform; political rights and duties; and constitutional rights and guarantees.

161. As provided under article 131, the constitutional guarantees set out in the chapter on that subject are governed by law and are intended to give effect to the rights enshrined in the Constitution.

162. As provided under article 132, the Supreme Court of Justice has the power to declare any legal provision or decision unconstitutional, in the manner and within the scope established in the Constitution and by law.

163. International human rights instruments signed by Paraguay are listed in the table below.

Table 40
**Status of international human rights instruments within the United Nations framework**

| *No.* | *Instrument* | *Place and date of adoption* | *Place and date of signature* | *Ratification by Paraguay (Act)* | *Deposit, ratification, accession* |
|---|---|---|---|---|---|
| 1. | Convention on the Prevention and Punishment of the Crime of Genocide | New York 9 Dec. 1948 | New York 11 Dec. 1948 | 1748 14 Aug. 2001 | 3 Oct. 2001 |
| 2. | International Convention on the Elimination of All Forms of Racial Discrimination | New York 21 Dec. 1965 | 13 Sept. 2000 | 2128 7 Jul. 2003 | 18 Jul. 2003 |
| 2a. | Amendment to article 8 of the International Convention on the Elimination of All Forms of Racial Discrimination | 15 Jan. 1992 | NO | - | NO |
| 3. | International Covenant on Economic, Social and Cultural Rights | New York 19 Dec. 1966 | NO | 4 9 Apr. 1992 | (a) 10 Jun. 1992 |
| 3a. | Optional Protocol to the International Covenant on Economic, Social and Cultural Rights | New York 10 Dec. 2008 | 6 Oct. 2009 | - | - |

| No. | Instrument | Place and date of adoption | Place and date of signature | Ratification by Paraguay (Act) | Deposit, ratification, accession |
|---|---|---|---|---|---|
| 4. | International Covenant on Civil and Political Rights | New York 19 Dec. 1966 | NO | 5 9/Apr. 1992 | (a) 10 Jun. 1992 |
| 5. | Optional Protocol to the International Covenant on Civil and Political Rights | New York 19 Dec. 1966 | NO | 4002 6 Aug. 1994 | (a) 10 Jan. 1995 |
| 6. | Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity | New York 26 Nov. 1986 | NO | 3458 9 Apr. 2008 | (a) 23 Sept. 2008 |
| 7. | International Convention on the Suppression and Punishment of the Crime of Apartheid | New York 30 Nov. 1973 | NO | 2806 28 Oct. 2005 | (a) 2 Dec. 2005 |
| 8. | Convention on the Elimination of All Forms of Discrimination against Women | New York 18 Dec. 1979 | NO | 1215 28 Nov. 1986 | (a) 6 Apr. 1987 |
| 8a. | Amendment to article 20 (1) of the Convention on the Elimination of All Forms of Discrimination against Women | 22 Dec. 1995 | NO | - | NO |
| 8b. | Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women | New York 6 Oct. 1999 | 28 Dec. 1999 | 1683 25 Apr. 2001 | (r) 14 May 2001 |
| 9. | Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment | New York 10 Dec. 1984 | 23 Oct. 1989 | 6989 23 Jan. 1990 | 12 Mar. 1990 |
| 9a. | Amendments to articles 19 (7) and 18 (5) of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment | 8 Sept. 1992 | NO | - | NO |
| 9b. | Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment | New York 18 Dec. 2002 | 22 Sept. 2004 | 2754 18 Oct. 2005 | (r) 2 Dec. 2005 |
| 10. | International Convention against Apartheid in Sports | 10 Dec. 1985 | NO | - | NO |
| 11. | Convention on the Rights of the Child | New York 20 Nov. 1989 | New York | 57 20/Sept. 1990 | (r) 25 Sept. 1990 |

| No. | Instrument | Place and date of adoption | Place and date of signature | Ratification by Paraguay (Act) | Deposit, ratification, accession |
|---|---|---|---|---|---|
| 11a. | Amendment to article 43(2) of the Convention on the Rights of the Child | New York 12 Dec. 1995 | NO | 2292 7 Nov. 2003 | 12 Dec. 2003 |
| 11b. | Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict | New York 25 May 2000 | New York 13 Sept. 2000 | 1897 27 May 2002 | (r) 27 Sept. 2002 |
| 11c. | Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography | New York 25 May 2000 | 13 Sept. 2000 | 2134 22 Jul. 2003 | (r) 18 Aug. 2003 |
| 11d. | Optional Protocol to the Convention on the Rights of the Child on prosecution mechanisms | New York 19 Dec. 2011 | 26 Sept. 2012 | - | - |
| 12. | Second Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, concerning abolition of the death penalty | 15 Dec. 1989 | NO | 2131 22 Jul. 2003 | 18 Aug. 2003 |
| 13. | International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families | New York 18 Dec. 1990 | 13 Sept. 2000 | 3452 9 Apr. 2008 | (r) 23 Sept. 2008 |
| 14. | Agreement establishing the Fund for the Development of the Indigenous Peoples of Latin America and the Caribbean | Madrid 24 Jul. 1992 | Madrid 24 Jul. 1992 | 3702 8 Jun. 1994 | (r) 1 Dec. 1994 |
| 15. | Convention on the Rights of Persons with Disabilities | New York 13 Dec. 2006 | 30 Mar. 2007 | 3540 24 Jul. 2008 | (r) 3 Sept. 2008 |
| 15a. | Optional Protocol to the Convention on the Rights of Persons with Disabilities | New York 13 Dec. 2006 | 30 Mar. 2007 | 3540 24 Jul. 2008 | (4) 3 Sept. 2008 |
| 16. | International Convention for the Protection of All Persons from Enforced Disappearance | New York 20 Dec. 2006 | Paris 6 Feb. 2007 | 3977 10 May 2010 | 3 Aug. 2010 |

*Source:* Treaty Office, Ministry of Foreign Affairs.

Table 41
**Status of international human rights instruments within the framework of the Organization of American States**

| *No.* | *Organization of American States framework* | *Place and date of adoption* | *Place and date of signature* | *Ratification by Paraguay (Act)* | *Deposit, ratification, accession* |
|---|---|---|---|---|---|
| 1. | American Convention on Human Rights (Pact of San José) | San José 22 Nov. 1969 | 22 Nov. 1969 | Act No. 01 8 Aug. 1989 | 24 Aug. 1989 |
| 2. | Additional Protocol to the American Convention on Human Rights in the area of Economic, Social and Cultural Rights (Protocol of San Salvador) | San Salvador 17 Nov. 1988 | San Salvador 26 Aug. 1996 | Act No. 1040 16 Apr. 1997 | 3 Jun. 1997 |
| 3. | Protocol to the American Convention on Human Rights to Abolish the Death Penalty | Asunción 8 Jun. 1990 | Guatemala 8 Jun. 1999 | Act No. 1557 6 Jun. 2000 | 7 Dec. 2000 |
| 4. | Inter-American Convention on Forced Disappearance of Persons | Belem do Pará 9 Jun. 1994 | 8 Nov. 1995 | Act No. 933 13 Aug. 1996 | 26 Nov. 1996 |
| 5. | Inter-American Convention to Prevent and Punish Torture | Cartagena 9 Dec. 1985 | 25 Oct. 1989 | Act No. 56 16 Jan. 1990 | 9 Mar. 1990 |
| 6. | Inter-American Convention on the Granting of Civil Rights to Women | Bogotá 2 May 1948 | 2 May 1948 | Act No. 104 25 Aug. 1951 | 19 Dec. 1951 |
| 7. | Inter-American Convention on the Granting of Civil Rights to Women | Bogotá 2 May 1948 | 20 Aug. 1951 | Act No. 876 28 Jun. 1963 | 5 Aug. 1963 |
| 8. | Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women (Convention of Belem do Pará) | Belem do Pará 9 Jun. 1994 | 17 Oct. 1995 | Act No. 605 21 Jun. 1995 | 18 Oct. 1995 |
| 9. | Inter-American Convention on Support Obligations | Montevideo 15 Jul. 1989 | 15 Jul. 1989 | Act No. 899 31 Jul. 1996 | 20 May 1997 |
| 10. | Inter-American Convention on the International Return of Children | Montevideo 15 Jul. 1989 | 15 Jul. 1989 | Act No. 928 20 Aug. 1996 | 8 Oct. 1996 |
| 11. | Inter-American Convention on Conflict of Laws concerning the Adoption of Minors | La Paz 24 May 1984 | 7 Aug. 1996 | - | - |
| 12. | Inter-American Convention on International Traffic in Minors | Mexico City 18 Mar. 1994 | 7 Aug. 1996 | Act No. 1062 16 Jun. 1997 | 12 May 1998 |

*Source:* Treaty Office, Ministry of Foreign Affairs.

Table 42
**Status of other international human rights instruments**

| *No.* | *Instrument* | *Place and date of adoption* | *Place and date of signature* | *Ratification by Paraguay (Act)* | *Deposit, ratification, accession* |
|---|---|---|---|---|---|
| 1. | Universal Declaration of Human Rights | Paris 10 Dec. 1948 | 10 Dec. 1948 | - | - |
| 2. | American Declaration of the Rights and Duties of Man | Bogotá 1948 | Bogotá 1948 | - | - |
| 3. | Technical cooperation with the Government of Paraguay on the Protection of Human Rights (United Nations-United Nations Development Programme) | Asunción 18 Apr. 1990 | - | - | - |
| 4. | Joint declaration by the United Nations High Commissioner on Human Rights and the Minister for Foreign Affairs of the Republic of Paraguay on technical cooperation in the promotion and protection of human rights in the Republic of Paraguay | Geneva, Switzerland 19 Mar. 2003 | - | - | - |
| 5. | Ibero-American Convention on Young People's Rights | Badajoz, Spain 11 Oct. 2005 | 11 Oct. 2005 | - | - |
| 6. | Technical cooperation agreement on the promotion of human rights between the Government of Paraguay and the United Nations | Asunción 6 Sept. 1991 | Asunción 6 Sept. 1991 | - | - |
| 7. | Convention on the Civil Aspects of International Child Abduction | The Hague 25 Oct. 1980 | NO | Act No. 983 7 Nov. 1996 | 13 May 1998 (accession) |
| 8. | Convention on Protection of Children and Cooperation in respect of Intercountry Adoption | The Hague 29 May 1993 | NO | Act No.900 31 Jul. 1996 | 13 May 1998 (accession) |
| 9. | Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children, 1996 | The Hague 19 Oct. 1996 | NO | - | - |
| 10. | Declaration on the Survival, Development and Protection of Children -Action Plan for its implementation in the 1990s, | New York 30 Sept. 1990 | - | - | - |

| No. | Instrument | Place and date of adoption | Place and date of signature | Ratification by Paraguay (Act) | Deposit, ratification, accession |
|---|---|---|---|---|---|
| | World Summit for Children | | | | |
| 11. | Convention on the Inter-American Indian Institute | Mexico City 29 Nov. 1940 | NO | Not registered | 17 Jun. 1941 (Accession) |
| 12. | Asunción Protocol on the commitment to the promotion and protection of human rights of the Southern Common Market (MERCOSUR) | | Asunción 20 Jun. 2005 17 Dec. 2005 | Argentina: 26109 6 Sept. 2006<br>Brazil: 59227-Aug. 2009 4 Mar. 2010<br>Paraguay: 303424-Oct. 2006 18 Dec. 2006<br>Uruguay: 1829622-May 2008 10 Mar. 2009 | 3 Apr. 2010 |

*Source:* Treaty Office, Ministry of Foreign Affairs.

Table 43
**Refugees and stateless persons**

| No. | Instrument | Place and date of adoption | Place and date of signature | Ratification by Paraguay (Act) | Deposit, ratification, accession |
|---|---|---|---|---|---|
| 1 | Memorandum of Understanding for the resettlement of refugees in Paraguay between the Government of the Republic of Paraguay and the Office of the United Nations High Commissioner for Refugees | Asunción 28 Jun. 2007 | Signatories | - | - |
| 2 | Constitution of the International Refugee Organization | New York 15 Dec. 1946 | NO | NO | NO |
| 3 | Convention relating to the Status of Refugees | Geneva 28 Jul. 1951 | NO | Act No. 136 11 Oct. 1969 | 1 Apr. 1970 (Accession) |
| 4 | Convention relating to the Status of Stateless Persons | New York 28 Sept. 1954 | NO | Act No. 5164 6 May 2014 | - |
| 5 | Convention on the Reduction of Statelessness | New York 30 Aug. 1961 | NO | Act No. 4564 16 Jan. 2012 | 6 Jun. 2012 (Accession) |
| 6 | 1967 Protocol relating to the Status of Refugees | New York 31 Jan. 1967 | NO | Act No. 136 11 Oct. 1969 | 1 Apr. 1970 (Accession) |

*Source:* Treaty Office, Ministry of Foreign Affairs.

## B. Framework within which human rights are promoted at the national level

164. As part of efforts to modernize the State, internal bodies were created within a number of national institutions, inter-agency commissions and groups concerned with human rights. With the promulgation of Act No. 5115 of 29 November 2013, the Ministry of Justice and Labour was divided into the Ministry of Labour, Employment and Social Security and the Ministry of Justice. The Directorate-General for Human Rights of the latter Ministry promotes, develops, formulates and implements actions for the promotion, protection and exercise of human rights. It also coordinates the Human Rights Network of the executive branch. The executive branch is currently reviewing a bill to establish a ministry of justice and of human rights, which would reinforce the institutional framework and have an impact on government policies and strategies to promote and protect human rights nationwide. State institutions and civil society organizations were consulted about the bill in June 2015.

165. There used to be a Human Rights Directorate in the Ministry of Foreign Affairs, under the Directorate-General for Multilateral Policy. Pursuant to Ministerial Decision No. 61 of 18 January 2013, a Human Rights Unit was created under the Vice-Ministry of Foreign Affairs to support the Ministry on matters of human rights and international humanitarian law.

166. The unit is mandated to:

(a) Observe and implement foreign policy on human rights, in accordance with its status as a division of the Ministry of Foreign Affairs;

(b) Coordinate the inter-institutional relationships between the Ministry of Foreign Affairs and other State human rights institutions with a view to determining how Paraguay's foreign policy in the field of human rights and international humanitarian law should be launched, positioned and conducted;

(c) Organize Paraguay's participation in bilateral meetings and meetings of international bodies and mechanisms in the field of human rights and international humanitarian law; coordinate and follow up on the work done by the Paraguayan delegation in such meetings;

(d) Receive, process and respond to any reports, requests, petitions or cases concerning allegations against the Republic of Paraguay that have been submitted to international human rights bodies, in coordination with the Office for Legal Affairs of the Ministry of Foreign Affairs and other State human rights bodies;

(e) Organize and coordinate visits to Paraguay of special rapporteurs and other specialized mechanisms of the United Nations system and of the Organization of American States, and provide escorts for them;

(f) Coordinate the examination and submission of government reports prepared in compliance with Paraguay's obligations under the international human rights treaties to which it is party;

(g) Promote and supervise an effective relationship between the Ministry of Foreign Affairs and human rights organizations in civil society, in order to learn their views on Paraguay's foreign policy concerning human rights and on matters relating to communications, petitions, individual cases and requests that have been brought to the attention of international bodies;

(h) Propose to the Ministry of Foreign Affairs, through the appropriate channels, that it should sign, ratify or accede to existing international human rights instruments and

encourage the Government of Paraguay to participate in negotiations on new instruments and to monitor their implementation nationally.

167. The following also report to the Human Rights Unit: chief of the department for petitions and cases; chief of the department for follow-up to implementation of recommendations, judgments and agreements; chief of the department for reports to treaty bodies and political matters; and chief of the department of international human rights bodies, in accordance with Decision No. 1288/2006.

168. The Supreme Court of Justice has a Human Rights Directorate mandated to help incorporate a human rights perspective into the justice system. This work is carried forward in conjunction with various governmental and non-governmental bodies, in parallel with the development of a broad capacity for finding solutions to the immediate problems facing justice professionals daily, through the provision of multidisciplinary technical advice and rigorous study and analysis of legal theory.

169. The human rights office, established in 2000 pursuant to Decision No. 759/2000, is a specialized technical administrative body of the Supreme Court of Justice and is known as the Human Rights Unit. Its responsibilities involve monitoring, information, investigation, analysis and dissemination. Relying on teamwork, the Unit coordinates project implementation and maintains a dynamic relationship with domestic and foreign institutions, thereby supporting the judicial branch and the activities of the Programme to Reinforce the Judiciary. The Unit's mandate was broadened under Act No. 31/2002 (plenary session of the Supreme Court of Justice at which the Unit's Strategic Plan 2002-2005 was approved) to include technical advice, coordination and training promotion.

170. In 2006, the Unit became the Human Rights Directorate. It took that opportunity to undertake a structural reorganization and harmonize its strategic lines of action for the promotion and protection of human rights in the judicial arena, particularly with respect to access to justice. These lines of action are directly linked to Strategic Objective No. 6 of the Court's Plan 2010-2015: "To disseminate information on human rights and to monitor policies, rulings, regulations and actions of the Supreme Court in order to determine whether those rights are being upheld, and to report to the public and relevant forums".

171. The Directorate's strategic lines of action include the following: design and promote programmes and intervention projects focused on the thematic areas; provide technical advice to professionals regarding human rights doctrine and its applicability to the administration of justice; and investigate and monitor allegations made against Paraguay in the framework of the international human rights protection system.

172. The Directorate is accordingly divided into four programmes: international human rights protection systems; support for human rights in judicial policies; project coordination and development; and access to justice.

173. The access to justice programme promotes the implementation of the "100 Brasilia Regulations" adopted by the Supreme Court of Justice under Decision No. 633/10. The main objectives are to facilitate access to justice for persons in vulnerable situations, such as those associated with age, disability, membership in an indigenous community, gender and victimization; to remove the obstacles to justice that confront such persons, so as to ensure effective access without discrimination; and to sensitize the administrators of the justice system.

174. The objectives that have been proposed and are currently under development include the use of indicators on the right to a fair trial in the administration of justice. This will involve the formulation by the judicial branch of new challenges and objectives for the court and administrative systems.

175. The Public Prosecution Service now has a Human Rights Directorate within the Cabinet for Access to Justice, which in turn reports to the Attorney General's Office, pursuant to Decision No. 1831 of 30 April 2015. The Directorate is responsible for advising the Attorney General's Office and public prosecutors, and for providing technical support on human rights policies and strategies to be implemented at the institutional level. The Office also has a Human Rights Prosecution Unit, established by a decision of 22 August 2010.

176. In that connection, the Attorney General, bearing in mind the cross-cutting nature of human rights and of the protection of those rights, has proposed that special attention should be paid to human rights offences, including torture, inflicting bodily injury while performing a public function, using force to obtain statements, hostage-taking, prosecution of innocent persons, genocide and war crimes. This would be provided through the above-mentioned Human Rights Prosecution Unit and through changes instituted in 2012 in the organization of the Attorney General's Office, and as currently modified by Decision No. 1831/15.

177. The Human Rights Prosecution Unit has three public prosecutors with national jurisdiction and has adopted an institutional protection policy, the principal aim of which is the prevention of punishable human rights offences. The unit is part of the framework governing visits to the country's prisons and military institutions. Public prosecutors work 24-hour shifts.

178. The Public Prosecution Service also runs a Victims' Care Centre, where psychologists and social workers assist victims of punishable offences and their families, free of charge, in new facilities equipped for that purpose. The Witness Protection Programme has also been created (Act No. 4083/11), in strict observance of that Act, of the Organization Act and of the country's international human rights commitments.

179. In terms of care for vulnerable groups, the Human Rights Directorate conducts monitoring visits to the country's penitentiary and correctional facilities, pursuant to article 15 of Act No. 1562/00 establishing the Public Prosecution Service and to Decision No. 1352/03 of the Attorney General's Office. That decision provides for safeguarding private rights to freedom and for collaborating on the supervision of the prison system. The Public Prosecution Service also has an Office of Ethnic Rights, the principal aim of which is to provide specialized technical investigative support to public prosecutors and to ensure effective compliance with constitutional provisions, particularly those concerning the special procedure for punishable offences relating to indigenous peoples and for ensuring that their rights are not violated.

180. With regard to international human rights matters, the Attorney General's Office, through the Human Rights Directorate, prepares reports on the subjects of relevance to the Public Prosecution Service, particularly those related to the observance of international conventions, petitions, requests, cases and monitoring of the implementation of international decisions on human rights pursuant to the country's domestic legislation, as requested by international organizations or special rapporteurs in the regional and international systems or other State institutions.

181. The Public Prosecutor's Office enjoys functional and administrative autonomy in establishing institutional policy in the field of human rights and ensures strict compliance with constitutional guarantees, in accordance with the powers invested in it by the Constitution. One example is the joint action plan for dealing with cases involving the offence of invasion of property, which was conceived and drawn up to set policies for general and specific action that could serve as guidelines for investigation, enforcement and criminal trials related to such cases, in accordance with the regulations. The action plan was

signed by the Public Prosecution Service, the Ministry of the Interior and the National Police Force.

182. In accordance with Decision No. 768/2001 of the Chamber of Deputies, the Ombudsman was appointed in October 2001. He began his work in a somewhat unfavourable climate of severe budget constraints, which meant that he did not set up his team until 2 January 2002. He nevertheless proceeded to make a number of organizational decisions, which will be implemented as the Office expands and acquires more resources.

183. Act No. 631, on the Structure of the Ombudsman's Office, was promulgated in 1995, and Act No. 838/96, which provides compensation to victims of human rights violations during the dictatorship of 1954 to 1989, was promulgated in 1996. However, despite those legislative initiatives, the Ombudsman was not appointed until nine years after the Constitution had entered into force.

184. The Office's principal aim is to alleviate the desperation and dissatisfaction of those whose rights have been violated and to seek, by all the means available to it, to comply with what is provided under the Constitution and by law with regard to demands for justice.

185. With respect to inter-agency coordination, the human rights network of the executive branch was established by Presidential Decree No. 2290 of 19 June 2009. The network is overseen by the Ministry of Justice to coordinate and establish linkages between policies, plans and programmes developed by the executive branch to improve mechanisms for the promotion, protection and exercise of human rights. It undertakes other activities, such as: (a) developing the national Human Rights Plan; (b) preparing a general annual report, divided into thematic chapters, on human rights in Paraguay, based on specific reports by institutions in the network; (c) promoting a culture of respect for and enjoyment of human rights; (d) ensuring that international human rights treaties and conventions are respected and applied and that measures taken by the State meet international standards; (e) cooperating with international and regional human rights bodies on the drafting of reports; (f) setting up a permanent human rights observatory; (g) drafting and promoting bills to bring legislation into line with the international instruments ratified by Paraguay; and (h) coordinating action with departmental and local authorities with a view to promoting respect for human rights.

186. The Government has been supporting the dissemination of the report of the Truth and Justice Commission, established under Act No. 2225/03. The Act defined the Commission's composition as consisting of representatives of the executive and legislative branches and of civil society. The Commission began its work in July 2004 and conducted a broad investigation that lasted nearly four years into human rights violations under the dictatorship. Its final report was presented on 28 August 2008.

187. Decree No. 1875 of 23 April 2009 declared the final report to be of national interest. It authorized various State bodies and institutions to work with the Directorate-General for Truth, Justice and Reparation, a division of the Ombudsman's Office, to implement the recommendations and reparation measures set out in the final report and to disseminate the report nationally and internationally with a view to preserving the country's historical memory and ensuring that such human rights violations would never recur in Paraguay.

188. The Inter-Agency Commission on the Enforcement of International Judgments was established on 26 February 2009 in accordance with Decree No. 1595. It has been amended three times. The first amendment was pursuant to Decree No. 10449 of 28 December 2012, which transferred coordination of the Commission to the Ministry of Justice, and the second was pursuant to Decree No. No. 10744 of 5 March 2013, which expanded its functions by reflecting the recommendations of treaty bodies, mechanisms and special rapporteurs of the United Nations human rights system. The Commission is responsible for implementing the measures needed to comply with international judgments. It aims to

remove any obstacles and ensure the adoption of effective criteria and action to secure compliance with international judgments and recommendations on human rights, as it is composed of public officials with decision-making authority. The third amendment was pursuant to Decree No. 4367 of 9 November 2015, by which the Commission was restructured, with its presidency entrusted to the Vice-Presidency of the Republic and its overall coordination to the Ministry of Foreign Affairs.

189. Other inter-agency bodies at the national and international level in which the Commission takes part are as follows: the National Commission for the Elimination of Child Labour and the Protection of Adolescent Labour; the Commission on the Protection of Fundamental Rights at Work and the Prevention of Forced Labour; the National Commission for Refugees; the Interministerial Commission for the Study and Application of International Humanitarian Law; the Latin American Network for the Prevention of Genocide and Mass Atrocities; the Inter-Agency Commission for the establishment of a network of sites of importance to the history and conscience of the Republic of Paraguay; and the National Team for the Investigation, Search and Identification of Detained or Disappeared Persons and Victims of Extrajudicial Executions in Paraguay during the period 1954-1989.

## C Reporting process at national level

190. The Ministry of Foreign Affairs is responsible for overseeing the national process of reporting to international treaty-monitoring bodies, in accordance with articles 2, 3 and 4 (b) and (c) of the Organic Act of the Ministry of Foreign Affairs (Act No. 1635/00).

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192. Within this framework, the Ministry of Foreign Affairs, in cooperation with other government departments, has begun drawing up the human rights reports to be submitted by Paraguay. To that end it brings together all the institutions dealing with human rights and sets up working groups to prepare the reports.

193. Each working group appoints a chairperson who is responsible for guiding the process. All the participating institutions contribute to the work, which involves compiling, systematizing and organizing the information and drawing up a draft report. Observations and comments are then analysed in order to prepare the final report for submission.

194. The human rights network of the executive branch, which has also been participating in the process, considers that priority should be given to monitoring and following up on respect for and implementation of the commitments made under international human rights treaties and the recommendations made by international protection systems. The human rights network has accordingly organized education and training workshops on report preparation.

195. Noteworthy in this regard is the launch of the recommendations monitoring system, thanks to efforts by national institutions and to the cooperation provided by the Human Rights Adviser of the Office of the United Nations High Commissioner for Human Rights.

196. The system is a computerized tool that allows the public to monitor the implementation of the international recommendations on human rights made to Paraguay by the human rights protection mechanisms of both the United Nations and the Inter-American Court of Human Rights. The system was officially introduced in June 2014 and includes some 900 recommendations made to Paraguay, on the basis of which the

institutions upload information on the actions undertaken to implement the recommendations.

197. Decree No. 4368, by which the system was made official and which designates the Ministry of Foreign Affairs and the Ministry of Justice as its coordinators, was signed on 9 November 2015.

### D. Other information relevant to human rights and follow-up to international conferences

198. Paraguay has submitted various national reports to the different treaty-monitoring bodies, as indicated in the following table.

Table 44
**Reports submitted to date**

| *Mechanism* | *Report* | *Date of submission* |
|---|---|---|
| Additional protocol to the International Convention of the Rights of the Child on children in armed conflicts | Initial report | 20 October 2010 |
| Additional protocol to the International Convention of the Rights of the Child on the sale of children, child prostitution and child pornography | Initial report | 20 October 2010 |
| Committee on the Rights of Persons with Disabilities | Initial report | 20 October 2010 |
| Human Rights Committee | Third periodic report | 31 December 2010 |
| Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families | Initial report | 10 January 2011 |
| Committee on Economic, Social and Cultural Rights | Fourth periodic report | 7 October 2011 |
| Committee on Enforced Disappearances | Initial report | 21 August 2013 |
| Committee on the Elimination of Racial Discrimination | Fourth to sixth combined periodic reports | October 2015 |
| Committee on the Elimination of Discrimination against Women | Seventh periodic report | November 2015 |
| Committee against Torture | Seventh periodic report | January 2016 |
| Mid-term report to the universal periodic review submitted to the Human Rights Council | Initial report | September 2014 |
| Universal periodic review submitted to the Human Rights Council | National report - second cycle | October 2015 |

## III. Information on non-discrimination and equality

199. The executive branch, through the Civil Service Secretariat, has issued guidelines on inclusive and non-discriminatory practices within the civil service. The aim is to make the civil service a partner in the process of transforming the State culture into one of inclusion. The executive branch also promulgated Decision No. 942/09, which set out the basic framework for non-discriminatory and inclusive policies in the civil service and established

regulations for the Directorate-General of Equality and Inclusion Policies, a department of the Civil Service Secretariat, established by Decision No. 2226/09.

200. Work has been carried out in conjunction with civil society organizations to develop a plan for providing disabled persons with access to and development opportunities in the civil service, in compliance with Act Nos. 2479/2004 and 3585/2008.